



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***FEBRUARY 3, 2003
9:00 A.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159.



COUNCIL WORK SESSION

FEBRUARY 3, 2003

9:00 A.M.

ROOM 159

AGENDA

2. Items suggested by the Mayor and Members of Council for discussion/Items listed on the 2:00 p.m., Council docket requiring questions/discussion/clarification. (20 minutes)
3. Additions/deletions to the 2:00 p.m., Council docket. (5 minutes)
4. Briefings by City staff:
 - First Street Bridge (30 minutes)
 - Wildlife Task Force (20 minutes)
 - Church Avenue Parking Study (30 minutes)
 - Franklin Road Culvert (10 minutes)
 - Legislative Update (10 minutes)
 - Zoning Ordinance Update (15 minutes)



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***FEBRUARY 3, 2003
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Robert L. Beasley, Chief Pastor, St. John's Episcopal Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, February 6, 2003, at 7:00 p.m., and Saturday, February 8, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring the week of February 9 - 15, 2003 as Career and Technical Education Week.

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, December 16, 2002, and recessed until Wednesday, December 18, 2002.

P 12

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

P 86

RECOMMENDED ACTION: Concur in the request.

- C-3 A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

P 87

RECOMMENDED ACTION: Concur in the request.

- C-4 A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 18, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with a revocable license to the property owner at One West Campbell Avenue, for installation of an awning that encroaches into the right-of-way of Jefferson Street, S.W.

P 88

RECOMMENDED ACTION: Concur in the request.

- C-5 A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 18, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of a public right-of-way to Liberty Property Limited Partnership.

P 89

RECOMMENDED ACTION: Concur in the request.

- C-6 A communication from Lynn D. Avis, Chair, Industrial Development Authority of the City of Roanoke, advising of the resignation of Stark H. Jones as a Director of the Industrial Development Authority of the City of Roanoke.

P 90

RECOMMENDED ACTION: Receive and file.

- C-7 Qualification of the following persons:

Nelett H. Lor as a member of the Roanoke Arts Commission, for a term ending June 30, 2005; and

Robin Murphy-Kelso as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2005.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS:

- a. Continuation of a public hearing on the request of the Northwest Neighborhood Environmental Organization and Robert Crowder to rezone nine tracts of land located on the south side of the 500 block of Loudon Avenue, N. W., identified as Official Tax Nos. 2013101 - 2013109, inclusive, from RM-2, Residential Multi-family, Medium Density District, to RM-3, Residential Multi-family, High Density District, subject to certain conditions; and three tracts of land located on the north side of the 500 block of Centre Avenue, N. W., identified as Official Tax Nos. 2013117 - 2013119, inclusive, from LM, Light Manufacturing District, to RM-3, Residential Multi-family, High Density District, subject to certain conditions proffered by the petitioners. James Lesniak, Executive Director; and Mr. Robert Crowder, Spokespersons. (The public hearing was continued at the January 21, 2003 meeting of Council.)
- b. Continuation of a public hearing on the request of the Northwest Neighborhood Environmental Organization that all of the alley from 6th Street to 5th Street, N. W., in the block lying between Loudon Avenue and Centre Avenue, beginning at the east side of 6th Street, between lots bearing Official Tax Nos. 2013101 and 2013115, and extending east to its intersection with 5th Street, between lots bearing Official Tax Nos. 2013114 and 2013123, extending north, and on the west extending along the east border of the lot bearing Official Tax No. 2013109 and on the east extending along the west border of lots bearing Official Tax Nos. 2013114 - 2013110, inclusive, extending north to its intersection with Loudon Avenue, be permanently vacated, discontinued and closed. James Lesniak, Executive Director; and Mr. Robert Crowder, Spokespersons. (The public hearing was continued at the January 21, 2003 meeting of Council.)

P 91;
O 108

P 111;
O 119

5. PETITIONS AND COMMUNICATIONS:

- a. A report with regard to activities of the Roanoke Valley Economic Development Partnership. Phillip F. Sparks, Executive Director. (10 minutes) (Sponsored by the City Manager.) P 123
- b. A request of The Angels of Assisi to address Council with regard to amendment to permitted exemptions in the C-3, Central Business District. Norman D. Mason, President, Board of Directors. (10 minutes) (Sponsored by Council Members Bestpitch and Carder.) P 125

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

1. Citizen Survey Results. (15 minutes)

P 128

ITEMS RECOMMENDED FOR ACTION:

2. A communication with regard to transfer of funds from the 1999 Public Improvement Bond Series to various capital project accounts, and a portion of the 2002 Public Improvement Bond Series for implementation of certain projects.
3. A communication recommending execution of a Waiver of Provision of Deed of Restriction for Elizabeth Arden, Inc., and Liberty Property Partnership Limited, for expansion purposes at the Roanoke Centre for Industry and Technology.
4. A communication recommending transfer of funds for improvements to Phase I, Public Works Service Center projects.
5. A communication recommending acceptance of a V-STOP Domestic Violence Grant from the Virginia Department of Criminal Justice Services, in the amount of \$32,403.00; and appropriation of funds.

P 129;
B/O 131P 133;
R 136P 138;
B/O 140P 142;
B/O 144;
R 145

6. A communication recommending transfer of funds for traffic calming initiatives. P 146;
B/O 147
7. A communication with regard to the Virginia Pollutant Discharge Elimination System General Permit Registration Statement for Stormwater Discharges. P 148;
R 183
8. A communication recommending transfer of funds for implementation of traffic signal systems. P 185;
B/O 186

b. CITY ATTORNEY:

1. A report transmitting an ordinance in connection with certain land within the boundary of Kennedy Park for use by the Roanoke Academy of Mathematics and Science. P 188;
O 190

c. CITY CLERK:

1. A report advising of expiration of the three-year terms of office of F. B. Webster Day, Marsha W. Ellison and Gloria P. Manns as Trustees of the Roanoke City School Board on June 30, 2003, and applications for the upcoming vacancies will be received in the City Clerk's Office until 5:00 p.m., on Monday, March 10, 2003. P 192

d. DIRECTOR OF FINANCE:

1. Financial report for the month of December 2002. P 194

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 36223, on second reading, authorizing and directing the proper City officials to enter into a lease extension between the City, the School Board of the City of Roanoke and the Young Men's Christian Association of Roanoke, Virginia, for use of the Jefferson High School gymnasium, upon certain terms and conditions. O 212
- b. An Ordinance amending and reordaining certain sections of the 2002-2003 Risk Management Fund Appropriations, and dispensing with the second reading by title of this ordinance. P 213;
B/O 214

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS UNTIL TUESDAY, FEBRUARY 4, 2003, AT 8:30 A.M., FOR THE ROANOKE CITY COUNCIL/ROANOKE CITY SCHOOL BOARD RETREAT AT THE VINTON WAR MEMORIAL, 814 WASHINGTON AVENUE, VINTON, VIRGINIA.

**MOTION AND CERTIFICATION
WITH RESPECT TO
CLOSED MEETING**

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.
2. Roll call vote included in Council's minutes is required.
3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

December 16, 2002

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, December 16, 2002, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Jeffrey V. Doremus, Minister of Leadership and Family Life, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

PROCLAMATIONS-RED CROSS: The Mayor presented a proclamation declaring Tuesday, December 17, 2002, as Red Cross "Donorama" Day.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was

desired, that item would be removed from the Consent Agenda and considered separately. The Mayor called attention to two Closed Meetings to discuss vacancies on various Council Appointed committees, and performance evaluations of three Council Appointed Officers.

MINUTES: Minutes of the regular meeting of City Council held on Monday, October 15, 2002, recessed until Thursday, October 17, 2002, recessed until Friday, October 18, 2002, and recessed until Thursday, October 31, 2002; and the regular meeting of City Council held on Monday, November 4, 2002, and recessed until Thursday, November 7, 2002, were before the body.

Mr. Carder moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

COMMITTEES-CITY COUNCIL: A communication from Vice-Mayor C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of three Council-Appointed Officers, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of Vice-Mayor Harris to convene in a Closed meeting to discuss the performance of three Council-Appointed Officers, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

CITY MANAGER-WATER RESOURCES: A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to an increase in water rates, was before the body.

Council Member Cutler advised that while the elected officials of Roanoke City and Roanoke County have agreed to stay out of ongoing staff level discussions on regional water authority negotiations, he would like to express his confidence in the eventual outcome of the process. He stated that he is appreciative of City staff bringing the water rate increase proposal forward because adoption of a water rate increase will help to lay the groundwork for the regional water authority. Specifically, he added that the proposed water rate increase will help fund additional water projects, and lead to development of additional water resources and construction of additional water line interconnections with Roanoke County. He stated that with adoption of the proposal, Council will be expressing its confidence that the right path is a water authority, in partnership with Roanoke County. He added that a Regional Water Authority will come with a price tag, and the responsible course of action is to raise water rates just enough to cover costs to ensure that the City of Roanoke does not find itself facing another water shortage.

Mr. Carder moved that Council concur in the request of the City Manager to hold a public hearing on increasing water rates. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

OATHS OF OFFICE-TRAFFIC-COMMITTEES-ROANOKE CIVIC CENTER-ROANOKE VALLEY RESOURCE AUTHORITY-TRANSPORTATION SAFETY: The following reports of qualification were before Council:

Monica S. Prince as a member of the Roanoke Civic Center Commission, for a term ending September 30, 2005;

David Fifer as a member of the City of Roanoke Transportation Safety Commission, for a term ending October 31, 2004; and

Robert K. Bengtson as a member of the Board of Directors, Roanoke Valley Resource Authority, for a term ending December 31, 2006.

Mr. Carder moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

BUDGET-COMMONWEALTH’S ATTORNEY-GRANTS: A communication from Donald S. Caldwell, Commonwealth's Attorney, advising that the Department of Criminal Justice Services has awarded the City of Roanoke a Virginia Exile Grant for calendar years 2002 and 2003, in the amount of \$156,613.00; associated with the grant, the City appropriated a required match in the amount of \$17,401.00; and the local match equaled ten per cent of total available funding of \$174,014.00, was before Council.

It was further advised that during the 2002 General Assembly, the budget was restructured to provide that the two year grant was terminated on June 30, 2002, after only six months of funding, and a one fiscal year grant was approved in the

amount of \$58,177.00 which did not require a local match; however, due to further budget restructuring, the grant is also being terminated effective December 31, 2002, allowing only one half of the original State grant funding totaling \$29,089.00; and the grant has not yet been accepted by Council, nor appropriated in the Grant Fund.

It was explained that continued funding of the Exile Grant will allow the continued utilization of a prosecutor to focus on convicted felons who possess weapons and drugs and weapons on school property; and the program has had great success during its existence and should be continued while the State is willing to provide the majority of funding.

The Commonwealth's Attorney recommended that Council amend the CY2002-2003 Exile Grant previously approved by decreasing State funding from \$156,613.00 to \$33,818.00 and local funding from \$17,401.00 to \$3,758.00, which adjusts the grant funding to an amount equal the total expenditures incurred by the City through June 30, 2002, related to the Exile Grant; funding is allocated between the State and the City at the same ratio initially authorized, 90 per cent and ten per cent respectively; therefore, the unused local match of \$13,643.00 may be transferred back to the General Fund and may be used in the General Fund to decrease the current year Transfer to Grant Fund and increase the City Manager's Contingency.

It was further recommended that Council accept 2003 State funding of the Exile Grant, in the amount of \$29,089.00, to be appropriated to revenue and expenditure.

A communication from the City Manager concurring in the recommendation of the Commonwealth's Attorney, was also before Council.

Mr. Dowe offered the following budget ordinance:

(#36154-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 2.)

Mr. Dowe moved the adoption of Ordinance No. 36154-121602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following resolution:

(#36155-121602) A RESOLUTION amending the previously approved 2002-2003 Exile Grant (02-C3527PX02) and accepting the 2003 Virginia Exile Grant offer (03-D3527PX03) made to the City by the Department of Criminal Justice Services and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 67, page 4.)

Mr. Carder moved the adoption of Resolution No. 36155-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-BLUE RIDGE COMMUNITY SERVICES: Robert Williams, Member, Board of Directors, Blue Ridge Behavioral Healthcare, presented a report on services provided by Blue Ridge Behavioral Healthcare during the past fiscal year. He advised that in fiscal year 2002, staff of the organization delivered over 300,000 units of service to over 10,000 Roanoke City residents, at a calculated value of \$12 million; the City's local tax contributions to the agency's operation was approximately \$400,000.00, which means that Roanoke received approximately \$31.00 worth of service for each tax dollar allocated to the community service board, or an increase of over \$2 per tax dollar over last year. He stated that the Child and Family Services division moved its operation to the corner of Liberty and Williamson Roads, which has provided improved access, and Blue Ridge Behavioral Healthcare has taken over operation of the Burrell Nursing Center and is currently in the process of space and program planning and development of a renovation design that will respect the architecture and legacy of the historic structure; and the Shenandoah Recovery Center admitted 163 City residents who met the criteria for temporary detention orders and/or civil commitment orders.

He advised that one of the main goals of Blue Ridge Behavioral Healthcare is to keep down admissions to State hospitals so that patients may be treated on the local level and returned to the community; a full-time child and adolescent psychiatrist was been added to the staff to provide medical support to children with behavioral health disorders, and the psychiatric system program has served more than 834 City of Roanoke clients this year, with a treatment program at Highland

Park and Lincoln Terrace Elementary Schools, The Roanoke Academy for Mathematics and Science, and Addison Aerospace Middle School. He noted that the Adult Resources Management Program and Mental Health and Mental Retardation, along with the assisted living facilities program, serve 767 adults in Roanoke City; and a contractual agreement with KUUMBA Community Health and Wellness Center has provided 52 City residents with mental health, and substance abuse counseling and 103 City residents with case management services. He called attention to statements by the Governor that a major reconfiguration of the public system of care for the mentally disabled is in the works, and the Roanoke area has been working with senior staff in the Department of Mental Health, Mental Retardation and Substance Abuse in Richmond on a restructured process, with the goal of bringing staff from State hospitals into the community to help localities offset any loss of funds, which is hoped to bring a positive change in the system of mental health care, both statewide and locally, in the near future.

Mr. Williams stated that Blue Ridge Behavioral Healthcare is experiencing an increased demand for its services, while at the same time, it is experiencing significant funding cuts and the organization will do everything within its power to minimize the impact on the citizens of Roanoke. He advised that when Blue Ridge Behavioral Healthcare submits its funding request for fiscal year 2004, it will be with the full recognition that Virginia's budget cuts have affected all citizens and organizations, and trusts that the City of Roanoke will continue to provide financial support to the best of its ability. By the same token, he stated that Blue Ridge Behavioral Healthcare pledges to provide the best of services that can be provided to those citizens who need to be served.

Council Member Wyatt inquired about the impact of the Olmstead Act on the City of Roanoke; whereupon, S. James Sikkema, Executive Director, advised that a major task force is addressing Olmstead planning for the Commonwealth of Virginia; however, at this point there is a broad base of representation, not only from persons experiencing mental disabilities, but physical disabilities as well. He stated that plans are being developed, all stakeholders are at the table, and the task force is defining the scope in which Virginia will address the Olmstead Act, the Federal responsibility that the Act entails, and additional reports will be forthcoming in February/March, 2003.

Council Member Bestpitch addressed deinstitutionalization and advised that it appears that each time there is another restructuring, there is more responsibility at the local level without sufficient additional resources to meet the responsibilities. He expressed concern that persons from a local community, who are committed to

State hospitals, are admitted without cost to the localities; however, it would seem that localities would be better served if more of those dollars were distributed among the localities to provide services on a local level, and then if a person has to be sent to a State hospital, some of the dollars would go with that individual. He inquired if the State is giving consideration to that concept.

Mr. Sikkema responded that the Governor has allowed the Roanoke department to develop a reinvestment plan which identifies resources in the institution to reinvest in the community, and the proposal Blue Ridge Behavioral Healthcare has developed is intended to blend resources and to develop a single continuum of care.

Without objection by Council, the Mayor advised that the annual report would be received and filed.

POLICE DEPARTMENT-FIRE DEPARTMENT: Robert L. Humphreys, Vice-Chair, Roanoke Arts Commission and liaison from the Arts Commission to the Roanoke Firefighters Memorial Committee, appeared before Council on behalf of the Roanoke Firefighters Association. He presented a token of appreciation to Council for funding the Roanoke Fallen Firefighters Memorial, which is a bronze casting of the original design by Ms. Betty Branch and is one of an edition of ten that the Roanoke Firefighters Association commissioned Ms. Branch to create at the time she designed the larger fallen firefighter sculpture.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-ROANOKE PASSENGER STATION RENOVATION PROJECT-TEA-21: The City Manager submitted a communication advising that the Western Virginia Foundation for the Arts and Sciences (WVFAS) received notification in July, 2002 that its application for Transportation Enhancement funds through the Transportation Equity Act for the 21st Century (TEA-21) for the Roanoke Passenger Station Renovation Project was approved, in the amount of \$500,000.00, which is in addition to the \$488,000.00 in Enhancement funds approved in 2001, bringing the total to \$988,000.00; and other State-provided funding of \$500,000.00 has been

committed to the project which currently totals approximately \$1.9 million, considering both State and local funding; the City of Roanoke must enter into separate supplemental agreements with the WVFAS and the Virginia Department of Transportation (VDOT), which define the responsibilities of each party; authority for the VDOT agreement was previously authorized by action of Council on January 22, 2002, pursuant to Resolution No. 35734-012202; authorization for the WVFAS agreement is needed from Council; the WVFAS would be responsible for the match requirement of \$125,000.00; and the \$500,000.00 of TEA-21 Enhancement funds need to be appropriated (to be reimbursed by VDOT) to Project Account No. 008-530-9900-9007 for disbursement to the Western Virginia Foundation for the Arts and Sciences.

The City Manager recommended that she be authorized to execute all necessary and appropriate agreements with the Western Virginia Foundation for the Arts and Sciences, in such form as is approved by the City Attorney; that Council appropriate \$500,000.00 of TEA-21 Enhancement funds (to be reimbursed by VDOT) to Project Account No. 008-530-9900-9007 for disbursement to the WVFAS; and establish a revenue estimate of the same for State reimbursement through the TEA-21 program.

Mr. Carder offered the following budget ordinance:

(#36156-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 5.)

Mr. Carder moved the adoption of Ordinance No. 36156-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber when the vote was recorded.)

Mr. Carder offered the following ordinance:

(#36157-121602) AN ORDINANCE authorizing the City Manager to enter into an Agreement between the City of Roanoke and the Western Virginia Foundation for the Arts and Sciences (“WVFAS”), and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 6.)

Mr. Carder moved the adoption of Ordinance No. 36157-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber when the vote was recorded.)

CITY CODE-PROCUREMENT CODE: The City Manager submitted a communication advising that certain sections of the Virginia Public Procurement Act (VPPA) apply to all localities; other sections may be replaced by a local alternative; and in 1982, the City of Roanoke adopted Chapter 23.1 Procurement, as a local alternative.

It was further advised that a proposed ordinance repeals Chapter 23.1, Procurement and replaces the chapter with a new chapter, Chapter 23.2, Procurement, which fully implements the Virginia Public Procurement Act; Chapter 23.2 will apply to all Council-Appointed Officers, Constitutional Officers, divisions, departments, offices, boards, agencies, and commissions of the City, except the School Board which has its own procurement policy; Chapter 23.2 establishes the City Manager’s authority to execute contracts, promulgate procedures, and determine the method of procurement; where required, the new chapter supplements the VPPA; for example, the VPPA allows a debarment procedure, but only if adopted by local ordinance.

It was explained that adopting Chapter 23.2 has several advantages which will further Council’s goal to streamline its agenda process:

Council will delegate to the administration the authority to decide whether competitive sealed bidding or competitive negotiation is the appropriate form for various procurements. There were nine such reports in the past year.

Council will delegate the authority to the City Manager to accept or reject bids/proposals for procurements. There were 55 reports accepting bids/proposals last fiscal year and five reports rejecting bids/proposals over \$75,000.00 in the past 12 months.

A local procurement manual based on well established State procedures can be implemented.

It was further explained that the risk of error by Purchasing staff will be reduced by having a single source for law and procedures instead of dealing with a City Code and State Code that may conflict.

The City Manager advised that Council must be kept informed; the Purchasing Division posts all solicitations and awards over \$30,000.00 to the Purchasing web page on roanokegov.com; and by adding bid tabulations to the awards section and extending the time each award is posted, Council will have the opportunity to review major procurements.

The City Manager recommended that Council adopt an ordinance amending the Code of the City of Roanoke (1979), as amended, by repealing Chapter 23.1 Procurement, and adopting a new Chapter 23.2 Procurement, in order to revise and update the City's regulations pertaining to procurement and to conform such regulations to State law.

Mr. Carder offered the following ordinance:

(#36158-121602) AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by repealing Chapter 23.1, Procurement, and adopting a new Chapter 23.2, Procurement, in order to revise and update the City's regulations pertaining to procurement and to conform them to State law; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 7.)

Mr. Carder moved the adoption of Ordinance No. 36158-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber when the vote was recorded.)

CITY MARKET-BUDGET-CITY PROPERTY: The City Manager submitted a communication advising that on December 31, 2002, the current lease agreement with Downtown Associates for the Market Building will expire; and as the City prepares to assume operation of the building on January 1, 2003, a budget must be adopted and appropriate revenue and expenditure accounts established, which will enable the City to continue operation of the facility until the end of the fiscal year when a complete budget will be drafted and adopted for next fiscal year.

It was further advised that Spectrum Design completed a Conditions Assessment Study of the Roanoke City Market Building on October 2, 2002, and identified numerous deficiencies and other needed repairs to enhance usability of the facility totaling \$293,975.00; and a list of budget accounts totalling \$140,000.00 for monthly rental deposits and monthly expenditures associated with operation of the Market Building must be established prior to January 1, 2003, when the first rent payments are due to be mailed to the City.

It was noted that total repairs currently needed to address the most critical concerns are estimated to cost \$295,000.00, which amount only begins to address the many repairs that are needed; and funds can be appropriated from Capital Projects Fund Account No. 008-052-9575-9173.

The City Manager recommended that Council authorize the Director of Finance to establish a new fund, the Market Building Operations Fund, and adopt the proposed operating budget; and further authorize appropriation of \$295,000.00 from Account No. 008-052-9575-9173 to a capital account to be established by the Director of Finance in the Market Building Operations Fund for repairs to the Market Building.

Mr. Carder offered the following budget ordinance:

(#36159-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 9.)

Mr. Carder moved the adoption of Ordinance No. 36159-121602. The motion was seconded by Mr. Dowe.

Council Member Cutler inquired if there are long term plans to address the City Market Building and how do the repairs rank in the City's capital projects plan. The City Manager responded that a significant and identified need is replacement of the heating and air conditioning system, which ranges from approximately \$600,000.00 - \$900,000.00, staff is investigating the possibility of a mutual arrangement with the Art Museum and Center in the Square, but for the upcoming summer season, it is intended to use temporary air conditioning to facilitate operation of the building. She called attention to certain other long term repairs that are needed over the next three to five years, some of which will be deferred pending receipt of a comprehensive plan for use or re-use of the second and third floors of the building. She explained that the \$95,000.00 is sufficient to meet all of the immediate needs for a one to two year period, and a three to five year plan will be submitted following a study related to the best use of the additional floors.

Ordinance No. 36159-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Dowe offered the following ordinance:

(#36160-121602) AN ORDINANCE establishing the Market Building Fund effective January 1, 2003 and adopting the annual Market Building Fund Appropriation of the City of Roanoke for fiscal year 2003 for the period beginning January 1, 2003, and ending June 30, 2003; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 10.)

Mr. Dowe moved the adoption of Ordinance No. 36160-121602. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-PARKS AND RECREATION: The City Manager submitted a communication advising that in 1999, the City of Roanoke issued general obligation bonds to finance various capital improvement projects; among the projects were repairs and improvements to the parks system; and in August 2000, \$3,688,369.00 of bond funds were appropriated to 12 different capital accounts, with each account dealing with a different category of park improvement or repair.

It was further advised that among the 12 capital accounts, one was established for Athletic Field Lighting and Improvements, while another was established for Comfort Station Replacement; all projects originally identified for Account No. 008-620-9738 have been completed, with funds remaining in the account; Account No. 008-620-9742 lacks sufficient funding, as prices for replacement of the five restrooms are greater than originally anticipated; and unused funds from Account No. 008-620-9738 may be transferred to Account No. 008-620-9742 so that the five restroom replacements may be completed.

The City Manager recommended that Council approve the transfer of \$143,126.00 from Account No. 008-620-9738 to Capital Account No. 008-620-9742.

Mr. Dowe offered the following budget ordinance:

(#36161-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 11.)

Mr. Dowe moved the adoption of Ordinance No. 36161-121602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

SEWERS AND STORM DRAINS-BUDGET-WATER RESOURCES: The City Manager submitted a communication advising that drainage problems have existed for many years along Summit Drive within the Edgewood-Morwanda Summit Hills neighborhood; problems have included some flooding of residences along Summit Drive; and the project received a high priority rating, and funding was established in the 1997 Bond Referendum.

It was further advised that Phase I, completed last year, installed storm drain and curbing eastward along Summit Drive from the intersection with Glenn Ridge Road to the cul-de-sac; Phase II continues installation of storm pipe and curbing westward from Glenn Ridge Road to the western end of Summit Drive; and following advertisement for and receipt of eight bids, S.C. Rossi & Co., Inc., submitted the low bid, in the amount of \$158,000.00, with construction time of 180 consecutive calendar days, beginning in early February 2003.

It was explained that funding in the amount of \$181,700.00 is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, printing and unforeseen project expenses; and funding is available from Public Improvement Bonds – Series 1999, Account No. 008-052-9709-9176.

The City Manager recommended that Council accept the bid of S.C. Rossi & Co., Inc., in the amount of \$158,000.00, with 180 consecutive calendar days to construct the project; reject all other bids received by the City; and transfer \$181,700.00 from Public Improvement Bond Series 1999, Account No. 008-052-9709-9176, to an account to be established by the Director of Finance entitled, Summit Hills Storm Drain Project – Phase II.

Mr. Carder offered the following budget ordinance:

(#36162-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 12.)

Mr. Carder moved the adoption of Ordinance No. 36162-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36163-121602) AN ORDINANCE accepting the bid of S. C. Rossi & Company, Inc., for installation of storm pipe and curbing westward from Glenn Ridge Road to the western end of Summit Drive, upon certain terms and conditions and awarding

a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 13.)

Mr. Carder moved the adoption of Ordinance No. 36163-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

SIDEWALK/CURB AND GUTTER-BUDGET-STREETS AND ALLEYS: The City Manager submitted a communication advising that Council was recently briefed on the categories toward which curb and sidewalk projects are being focused using the \$5 million in bond funds generated for this purpose; new construction of curbs and sidewalks based upon neighborhood plans and their priorities was one such category; Old Southwest is one of the first such neighborhoods for which the funds have been identified, and the project consists of installing approximately 7,000 square feet of sidewalk, 6,760 linear feet of curb and 2,500 square feet of entrances on various streets within the Old Southwest section of the City.

It was further advised that following advertisement, three bids were received with S. C. Rossi & Co., Inc., submitting the low bid, in the amount of \$203,065.00, and construction time of 240 consecutive calendar days.

It was explained that funding, in the amount of \$223,370.00, is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding in the amount of \$223,370.00 is available in Public Improvement Bonds - Series 2002, Streets and Sidewalks, Account No. 008-530-9711-9195.

The City Manager recommended that Council accept the bid of S. C. Rossi & Co., Inc., in the amount of \$203,065.00, with 240 consecutive calendar days, for completion of the work; reject all other bids received by the City; and transfer \$223,370.00 from Public Improvement Bonds - Series 2002, Account No. 008-530-9711-9195, to an account to be established by the Director of Finance entitled, Curb, Gutter and Sidewalk, Phase VII.

Mr. Carder offered the following budget ordinance:

(#36164-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 14.)

Mr. Carder moved the adoption of Ordinance No. 36164-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36165-121602) AN ORDINANCE accepting the bid of S. C. Rossi & Company, Inc., for installing approximately 7,000 square feet of sidewalk, 6,760 linear feet of curb and 2,500 square feet of entrances on various streets within the Old Southwest section of the City, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 15.)

Mr. Carder moved the adoption of Ordinance No. 36165-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the Comprehensive Services Act was legislated by the Commonwealth of Virginia in 1992, and was designed to create a collaborative system of services and funding for troubled and at-risk children; and the Act covers children who are in foster care, who have special education needs, children appointed by the courts for certain services, and children with emotional or behavioral problems that require extensive services beyond the capacity of one agency.

It was further advised that each locality is responsible for funding a share of the costs of services provided under the Comprehensive Services Act; the proportion was initially set based upon historic spending on similar services prior to enactment of the Act; the City of Roanoke is currently responsible for approximately 31 per cent of the expenses incurred under the Act; and localities can apply for and receive supplemental allocations from the State when service costs exceed those budgeted, however, localities must cover their proportion of additional costs.

It was stated that in 1998, due to continuing escalation in costs for services, the State issued additional guidelines requiring localities to adopt a utilization management program which requires cases to be reviewed individually and collectively to evaluate quality of services and cost savings opportunities; and localities may contract with utilization management services, follow a State model, or design their own model to meet State guidelines.

It was further stated that the case management process is paper intensive and time consuming; many forms for case management are completed on a weekly, monthly, quarterly, or annual basis, depending on the severity of the case; forms are hand written, which requires the caseworker to rewrite the entire form each time; case files for long-term cases become very thick and difficult to manage; and compiling, searching, and analyzing data from individual cases or cases collectively is much more difficult, and in some cases, impossible when data is handwritten rather than in electronic format.

It was advised that among those recommendations made by the Municipal Auditor's Office was that an application software system be implemented for case management, fiscal management, and utilization management; a system that integrates the service and fiscal data for all cases is necessary before effective utilization management can be undertaken; and such a system would significantly improve the documentation process for case workers and capture case data in an electronic format that can be easily managed, searched, and analyzed; based on research completed by the Department of Social Services, systems are available and have been successfully implemented in other localities; and the Department of Social Services should seek technical support from the City's Department of Technology in order to develop a recommendation for the Interagency Council to consider.

It was noted that staff of the City's Social Services, Purchasing and Technology departments researched potential software solutions to effectively support CSA requirements; it has been determined that HarmonyIS is the sole source for the application software, and was determined to be the sole source vendor of CSA software by Hanover, Henrico and Fairfax Counties; the City developed a requirements document that encompassed the functional requirements from Social Services Administration, Family Assessment and Planning Teams, City of Roanoke Schools, as well as technical requirements per the Department of Technology standards; HarmonyIS responded to the requirements document and was determined to be able to provide the CSA applications software that would enable the City to effectively manage its CSA case load, in the amount of \$125,718.75; and funds have been appropriated in Account No. 013-430-9853-9015.

The City Manager recommended that she be authorized to enter into a contract with Harmony Information Systems, Inc., of Alexandria, Virginia, such contract to be approved as to form by the City Attorney, in the amount of \$125,718.75; and funding for the project is available in Account No. 013-430-9853-9015.

Mr. Cutler offered the following resolution:

(#36166-121602) A RESOLUTION authorizing a contract with Harmony Information Systems, Inc. of Alexandria, Virginia, for software and services in connection with the Comprehensive Services Act ("CSA"), and concurring with the determination of the Director of General Services that such firm is the only source practicably available to perform such work.

(For full text of Resolution, see Resolution Book No. 67, page 17.)

Mr. Cutler moved the adoption of Resolution No. 36166-121602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

HOUSING/AUTHORITY-COMMUNITY PLANNING-ZONING: The City Manager submitted a communication advising that on August 12, 1985, the Board of Commissioners of the Roanoke Redevelopment and Housing Authority ("RRHA") approved the Redevelopment Plan for the Shaffer's Crossing Community

Development Project dated July 1985, as amended by Amendment No. 1 dated March 1988, and on August 26, 1985, Council approved and adopted the Plan; as part of the Plan, approximately 18 parcels of land were acquired and disposed to desirous owners within seven years of the Plan being approved; five lots were designated not to be acquired and two lots met land use standards, therefore, property owners were not approached for acquisition purposes; in order to complete the Plan, 22 lots were identified as lots to be acquired and disposed of in the area; and an estimate of \$1,237,000.00 is required to complete property acquisition and disposition in the redevelopment area.

It was further advised that the RRHA has undertaken and completed a thorough and extensive review of the Plan, including Plan objectives, actions taken, and results accomplished pursuant to terms of the Plan, including acquisition and disposition of real property pursuant to the Plan; the RRHA has determined that continued existence of the Plan is no longer necessary and property owners within the boundaries of the Plan will not be adversely affected by termination of the Plan.

It was explained that on June 10, 2002, the Board of Commissioners of the Roanoke Redevelopment and Housing Authority adopted a resolution terminating the Redevelopment Plan for the Shaffer's Crossing Community Development Project and recommended that Council consider and approve such action; and the RRHA has given appropriate Notice of Termination of the Plan to all land owners within Plan boundaries and no objections to Plan termination have been expressed.

The City Manager recommended that Council approve deletion of the portion of the July 19, 1985, Redevelopment Plan, as amended, in regard to the Shaffer's Crossing Community Development Project.

Mr. Carder offered the following resolution:

(#36167-121602) A RESOLUTION concurring in the deletion of the portion of the July 19, 1985, Redevelopment Plan, as amended, pertaining to Shaffer's Crossing Community Development Project.

(For full text of Resolution, see Resolution Book No. 67, page 18.)

Mr. Carder moved the adoption of Resolution No. 36167-121602. The motion was seconded by Mr. Dowe.

Ms. Lourice Thomas, 4053 Clairmont Drive, S. W., addressed Council in connection with property that she owns in the Shaffers Crossing Redevelopment area. She stated that she was advised, through her attorney, that City staff previously indicated that it would be pointless to file a rezoning petition for C-2 inasmuch as the total area is designated Light Manufacturing District in a long range plan, and in view of the fact that the parcel of land contains less than two acres. If the Shaffers Crossing project is resolved, she suggested that the City consider reinstating previous zoning in which C-2 Commercial would be allowed in a Light Manufacturing District.

Following discussion, Resolution No. 36167-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

It was the consensus of Council that the concerns of Ms. Thomas would be referred to the City Manager for report.

COMMUNITY PLANNING-STREETS AND ALLEYS-HOUSING/AUTHORITY: The City Manager submitted a communication advising that the City currently owns a 29.2 acre tract of land located at the edge of the City limits on Colonial Avenue, S. W., adjacent to Carilion Medical Center; on October 20, 2002, the City advertised a Request For Proposal entitled, "Colonial Avenue Development project" requesting proposals for development of an upscale, mixed-use community; and in response to the request, two proposals were received, one of which was submitted after the deadline and the other proposal was not responsive inasmuch as it failed to provide all required information.

It was further advised that according to the Comprehensive Plan, Vision 2001-2020, the City will have a balanced, sustainable range of housing choices in all price ranges and design options throughout the City that encourage social and economic diversity; and neighborhoods will function as villages, offering opportunities to live, work, shop, play and interact in a neighborhood setting.

It was explained that analysis of the site revealed that the property is ideal for development of an upscale, "traditional neighborhood development" that includes residential single-family, multi-family, retail and live/work space; and the City expects the project to reflect state of the art construction methods for apartments, town homes and single-family houses, while providing alternative residential options within the context of the Comprehensive Plan.

The City Manager recommended that Council reject all proposals and that she be authorized to revise and re-advertise the project in an effort to secure a development team to develop a first-class, mixed-use community.

Mr. Carder offered the following resolution:

(#36168-121602) A RESOLUTION rejecting all proposals received in response to the Request for Proposals for the development for an upscale, mixed-use community for a 29.2 acre tract of land situated at the edge of the city limits on Colonial Avenue and adjacent to the Carilion Medical Center.

(For full text of Resolution, see Resolution Book No. 67, page 19.)

Mr. Carder moved the adoption of Resolution No. 36168-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

PARKS AND RECREATION-DONATIONS/CONTRIBUTIONS-ACTS OF ACKNOWLEDGEMENT: The City Manager submitted a communication advising that the LifeNet Donor Memorial Foundation Inc., (LifeNet) of Roanoke Virginia, an organ donation resource entity, contacted the Department of Parks and Recreation with the proposal to sponsor a small portion of the Roanoke River Greenway located along Wiley Drive; and the proposal is to establish an enhanced recreational experience area for greenway users that would include a soft, sustainable landscape design consistent with both Roanoke's Vision 2020 and the Parks and Recreation Master Plan.

It was further advised that the Department of Parks and Recreation has examined the proposal to provide funding for amenities, landscaping, and signs for an area approximately 200'X18' along the renovated section of the Roanoke River Greenway through Wiley Drive, located between the Franklin Road underpass and terminus of the greenway section at Wiley Drive; in reviewing the proposed partnership with LifeNet, Parks and Recreation included both initial costs for materials, as well as on-going maintenance costs required to address improvements to the site for a ten-year period; and LifeNet proposes to provide the City with a one-time donation of \$5,000.00 to subsidize the City's expenses for site amenities and maintenance costs.

The City Manager recommended that she be authorized to execute a contract on behalf of the City of Roanoke and accept the \$5,000.00 donation from the LifeNet Donor Memorial Foundation, Inc.; and that Council appropriate \$5,000.00 to Parks and Recreation, Account No. 001-620-4340-3011, to offset project expenditures and establish a revenue estimate in the same amount.

Mr. Carder offered the following budget ordinance:

(#36169-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 20.)

Mr. Carder moved the adoption of Ordinance No. 36169-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36170-121602) AN ORDINANCE authorizing the City Manager to enter into an Agreement between the City of Roanoke and LifeNet Donor Memorial Foundation, Inc. ("LifeNet"), for sponsorship of a small portion of the Roanoke River Greenway located along Wiley Drive, accepting a one-time donation of \$5,000.00, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 21.)

Mr. Carder moved the adoption of Ordinance No. 36170-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

It was the consensus of Council that the LifeNet Donor Memorial Foundation, Inc., will be presented with a "Shining Star" award at a future City Council meeting.

PARKS AND RECREATION-SPECIAL EVENTS: The City Manager submitted a communication advising that Easter Seals of Virginia has operated musical concerts for years to benefit citizens and visitors of the Roanoke Valley, which concerts have included various jazz and swing bands that attract more than 2,000 attendees to each performance; and the concerts have promoted a positive impact upon the City of Roanoke, while enhancing the cultural and social opportunities available in this area.

It was further advised that as specified in the Agreement, Easter Seals of Virginia is interested in promoting an event in Elmwood Park for a period of three years, ending on December 31, 2005; annually, each of the approximately 19 concerts will be held from 5:30 p. m. – 8:30 p. m., but Easter Seals of Virginia will have access to the park until 11:00 p. m., for clean-up; in conjunction with Easter Seals of Virginia, the City will co-sponsor this event by providing security, parking, and manpower through the Sheriff's Department and Police Department, pursuant to conditions set forth in the Agreement; and based upon the expected economic impact, the City's return shall more than exceed expenses of the program.

The City Manager recommended that she be authorized to execute an Agreement, to be approved as to form by the City Attorney, between the City of Roanoke and Easter Seals of Virginia, for a period of three years, and to take such further action as reasonably necessary to implement and administer the Agreement.

Mr. Carder offered the following ordinance:

(#36171-121602) AN ORDINANCE authorizing the City Manager to enter into an Agreement between the City of Roanoke and Easter Seals of Virginia for use of a portion of certain City-owned property known as Elmwood Park, to operate a series of musical concerts, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 22.)

Mr. Carder moved the adoption of Ordinance No. 36171-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting the following appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request, were before the body.

\$34,961.00 from School Food Services fund balance available for appropriation for food service equipment.

\$46,213.00 for the FY2001-02 Title I Local Delinquent Children Grant to provide transition services to youth exiting the Juvenile Detention Center and youth entering Youth Haven. This continuing program is 100 per cent reimbursed by Federal funds.

\$55,252.00 for the FY2002-03 Title I Local Delinquent Children Grant to provide transition services to youth exiting the Juvenile Detention Center and youth entering Youth Haven. This continuing program is 100 per cent reimbursed by Federal funds.

\$763,520.00 for the Title I Winter program to provide remedial reading, language arts and mathematics instruction for students in targeted schools. This continuing program is 100 per cent reimbursed by Federal funds.

\$281,628.00 for the Title II, Part A program to provide funds for the placement of classroom teachers in grades one through three to reduce class size and provide funds for teacher and principal training. This continuing program will be reimbursed by Federal funds.

\$10,559.00 for the Title II program to provide services to students with limited English proficiency and to immigrant children. This continuing program will be funded with Federal funds.

\$421,144.00 for the Flow Through program to provide aid for the education and guidance of handicapped students. This continuing program will be 100 per cent reimbursed by Federal funds.

\$90.00 for the Preschool Incentive program to provide orientation and evaluation of handicapped students who will be entering the public school system for the first time during the fall. This continuing program will be reimbursed 100 per cent by Federal funds.

\$42,165.00 for the Special Education Capacity Building (Sliver) program to provide funds to assist the division in providing direct services and in making systemic change to improve results for children with disabilities. This continuing program will be reimbursed 100 per cent by Federal funds.

\$30,000.00 for the Blue Ridge Technical Academy Bio-Medical Career Laboratory program, to provide for the installation and operation of a bio-medical career laboratory at the Academy. A corporate donation has been received.

\$37,642.00 for the Adult Basic Education program to provide funds for the education of adults who have not completed high school. This continuing program will be reimbursed 100 per cent by Federal funds.

\$62,173.00 for the Regional Adult Literacy program to provide funds for the administration of adult literacy programs. This continuing program will be reimbursed 100 per cent by Federal funds.

\$98,494.00 for the Drug Free Schools program to provide funding for one student assistance counselor at the secondary level to work with substance abuse issues. This continuing program will be reimbursed 100 per cent by Federal funds.

\$121,695.00 for the Enhancing Education Through Technology grant to provide materials and training to implement mobile wireless laboratories at six elementary schools. This new program will be reimbursed 100 per cent by Federal funds.

\$2,640.00 for the PASS Initiative for Roanoke Academy for Mathematics and Science to provide funds for contracted technical assistance at the school. This new program will be reimbursed 100 per cent by State funds.

Mr. Harris offered the following budget ordinance:

(#36172-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School and School Food Services Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 67, page 23.)

Mr. Harris moved the adoption of Ordinance No. 36172-121602. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

COMMITTEES-FIFTH PLANNING DISTRICT COMMISSION (ROANOKE VALLEY/ALLEGHANY REGIONAL COMMISSION): Mr. Bestpitch offered the following resolution authorizing execution of an Early Action Compact for the Roanoke Metropolitan Statistical Area:

(#36186-121602) A RESOLUTION authorizing execution of an Early Action Compact for the Roanoke Metropolitan Statistical Area.

(For full text of Resolution, see Resolution Book No. 67, page 50.)

Mr. Bestpitch moved the adoption of Resolution No. 36186-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUSES-CITY EMPLOYEES: Council Member Wyatt suggested that the City Manager study the feasibility of offering incentives to those City employees who ride Valley Metro to work, in lieu of driving their personal vehicles.

Council Member Cutler advised that the City of Chattanooga, Tennessee, uses electric buses, and inquired if Valley Metro could move in that direction over time; whereupon, the City Manager advised that the inquiry will be reviewed by staff.

BUDGET-SNOW REMOVAL-EQUIPMENT: Council Member Wyatt inquired as to whether vehicles were rented from a local construction company in connection with recent snow removal efforts, and, if so, what were the costs incurred by the City.

BUDGET-CITY GOVERNMENT: Council Member Wyatt requested a status report on those services that have been contracted out by the City, the cost of such services prior to contracting out, and cost savings to the City, if any, as a result of contracting for the services.

WATER RESOURCES: Council Member Carder added his support to previous remarks offered by Council Member Cutler with regard to a public hearing on an increase in City water rates. He also spoke in support of an independent water authority.

DOWNTOWN ROANOKE, INCORPORATED-SPECIAL EVENTS: Due to inclement weather, Council Member Carder advised that the annual Christmas Parade, which was scheduled for Friday, December 13, was postponed and has been rescheduled for Friday, December 20, at 6:30 p.m.

ACTS OF ACKNOWLEDGEMENT-CITY EMPLOYEES-WATER RESOURCES: The Mayor advised that the year 2002 was filled with trials and tribulations with regard to the City's water supply as a result of the lack of rainfall; whereupon, he commended the City Manager and City staff on their efforts to identify additional

sources of water. He advised that it has been an honor to serve as Mayor during the past calendar year, and he looks forward to many successes in the year 2003. He extended best wishes to the citizens of the City of Roanoke for a happy and joyous holiday season.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, report and recommendation to Council.

No citizen requested to be heard.

CITY MANAGER COMMENTS:

CITY EMPLOYEES-SNOW REMOVAL-WATER RESOURCES: The City Manager commended City staff on snow removal efforts during a recent snow event. She advised that the snow was followed by rainfall which caused the water level at Carvins Cove Reservoir to rise to 18.8 feet below spillway, and even though the water level has risen, she encouraged citizens of the City of Roanoke to continue their efforts to conserve water.

WATER RESOURCES: The City Manager called attention to a ceremony dedicating the Crystal Spring Filtration Plant on Wednesday, December 18, 2002, at 12:30 p.m.

ZONING-CITY COUNCIL-COMMUNITY PLANNING: The City Manager proposed that Council and the City Planning Commission hold a joint public hearing on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chamber, with regard to a measure regulating tattoo parlors in the City of Roanoke.

REFUSE COLLECTION-CITY EMPLOYEES: On behalf of City staff, the City Manager expressed appreciation to the Mayor and Members of Council for granting December 24, 2002, as an additional holiday for City employees. She advised that Solid Waste personnel will collect refuse during the week of Christmas on Monday, Tuesday, Thursday and Friday and will take the additional holiday at a later date.

CITY MANAGER-CITY COUNCIL: Ms. Burcham expressed appreciation for the opportunity to serve as City Manager of the City of Roanoke. She advised that she looks forward to a prosperous new year for the citizens of Roanoke and for the Mayor and Members of City Council.

At 3:40 p.m., the Mayor declared the meeting in recess to be immediately reconvened in City Council's Conference Room for a briefing with regard to certain traffic calming proposals.

At 3:45 p.m., the Council meeting reconvened in the Council's Conference Room for briefings on traffic calming, with all Members of the Council in attendance, Mayor Smith presiding.

TRAFFIC: The City Manager introduced a briefing with regard to traffic calming in the Grandin Road area and the Bullit-Jamison corridor in southeast Roanoke.

Robert K. Bengtson, Director of Public Works, advised that the City's Comprehensive Plan, Vision 2001-2020, identifies actions needed with respect to streetscape and traffic calming on Roanoke's road system. He further advised that due to the presence of traffic barrels currently in use for the control of traffic approaching the Memorial Avenue Bridge project, staff has discovered that the 12,000 vehicles that use this roadway on a daily basis can be reasonably accommodated using two of the four travel lanes of Memorial Avenue from Grandin Road to the Memorial Bridge, and continuing for a short distance on 13th Street, S. W.

Mr. Bengtson and Kenneth H. King, Traffic Engineer, presented a concept plan demonstrating how this portion of Memorial Avenue could be repaved and remarked for two lanes of traffic instead of the existing four lanes, with the remaining two lanes that would no longer be used for traffic to be dedicated to full time use for on-street parking (rather than used during the peak hour with parking restricted); additional enhancement features include certain areas of textured pavement, landscaped traffic islands, street trees and gateway signage for the village center area. It was noted that sidewalk replacement and sidewalk/curb extensions may also be incorporated into the design; and plans will continue to be developed prior to a staff presentation of plans to the Greater Raleigh Court Civic League at its meeting on January 9, 2003.

Mr. King advised that one block of Grandin Road (Memorial Avenue to Westover Avenue) can be repaved and restriped to provide for two traffic lanes and "back-in" diagonal parking on the west side of the block to narrow the perceived width of the road; additional enhancement features include textured crosswalks and sidewalk/curb extensions that can provide opportunity areas for landscape enhancements; drainage inlets in the curb may require adjustments due to the curb extension; and diagonal parking fits better on the west side of the block due to the offset in the alignment of the next block of Grandin Road.

Vice-Mayor Harris suggested that the fence at Virginia Heights Elementary School also be evaluated for possible upgrade.

Christopher Chittum, Senior Planner, Department of Planning, Building and Development, presented a briefing on traffic calming in the Bullitt-Jamison corridor and showed a typical intersection along the corridor. He advised that although the overall goal of the plan is to improve the livability along the street, the focus of the traffic calming strategy is on narrowing both the perceived and real width of the street to slow down traffic, which could be accomplished through tree planting, curb extensions, on-street parking, a colored shoulder, and colored crosswalks.

Mr. King advised that other traffic calming measures could be used in addition to those shown, and Mr. Chittum noted that the project could be completed within a period of two years. He added that City staff is currently working on certain two-way scenarios, which would involve longer term projects.

The City Manager noted that the project would not prevent a future conversion to two-way traffic if the traffic calming measures are not effective.

Council Member Wyatt advised that motorists tend to build up speed as they enter the City of Roanoke from the Town of Vinton, and requested that City staff look at Dale Avenue between the Town of Vinton and 13th Street, S. E.

Following the briefings, the Mayor declared the Council meeting in recess for one Closed Session to discuss vacancies on certain Council-Appointed Committees.

Following the Closed Session, the Mayor declared the meeting in recess until 5:00 p.m., for dinner, to be followed by a Closed Session on a personnel matter, being the mid-year performance evaluations of three Council-Appointed Officers.

At 7:00 p.m., on Monday, December 16, 2002, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

COUNCIL: With respect to the two Closed Meetings concluded earlier in the day, Mr. Harris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

PRESENTATIONS AND ACKNOWLEDGMENTS:

ACTS OF ACKNOWLEDGEMENT: The Mayor advised that Shining Star Awards are presented to those persons who go above and beyond the call of duty to be of service to their fellow man and woman and to their community; whereupon, he advised that Shining Star Awards would be presented to Dr. Carol Gilbert, the Garden City Recreation Club, and the Garden City Civic League.

He advised that Dr. Gilbert has received numerous awards and citations for her outstanding contributions, but locally she has served as the Operational Medical Director for Roanoke Fire/EMS since 1988. Without request for compensation, the Mayor advised that Dr. Gilbert has given countless hours toward development, growth and improvements in EMS delivery in the City of Roanoke, she served on the EMS Advisory Board during the mid to late 1980's, which provided guidance in development of the City's paid EMS program; and she is actively involved in providing medical direction, training and quality assurance for EMS providers, both volunteer and career, in the City of Roanoke.

The Mayor further advised that the Garden City Recreation Club and the Garden City Civic League jointly donated a picnic shelter for Garden City Park; they have worked with the Recreation Department for the betterment of the community for a number of years and they have been instrumental in making numerous improvements to Garden City Park. He stated that present Garden City Park amenities include only a playground, restrooms and athletic fields, so the picnic shelter will be a welcomed addition for not only Garden City residents, but all City residents to enjoy.

The Mayor presented Dr. Gilbert, Ms. Diane Alexander representing the Garden City Recreation Club, and Mr. Charles Hancock representing the Garden City Civic League, with Shining Star Award trophies.

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Dudley Automotive Corp. to rezone a tract of land lying on Campbell Avenue, S. W., Official Tax No. 1220415, from RM-2, Residential Multi-family, Medium Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the purpose of the request for rezoning is to use the subject property for temporary parking and storage of vehicles waiting for service or repairs at the petitioner's garage; and at a public hearing which was held on Thursday, November 21, 2002, the petitioner's attorney agreed to amend proffered conditions to include limited access to the subject property, installation of a vinyl fence, and setback of the fence from property lines on the western and northern boundaries, ten feet and five feet respectively, with landscaping buffers installed on the outside of the fencing in those areas, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, with amended proffers. It was advised that given the adjacent land uses and zoning patterns, the requested C-2, General Commercial District, is appropriate, provided the integrity of the adjacent residential neighborhood is protected and amended proffers provide a reasonable approach to buffering the residential neighborhood from the proposed use.

Mr. Dowe offered the following ordinance:

(#36173-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 112, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 27.)

Mr. Dowe moved the adoption of Ordinance No. 36173-121602. The motion was seconded by Mr. Harris.

Roy V. Creasy, Attorney, appeared before Council on behalf of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the request for rezoning. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36173-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Dudley Automotive Corp. that an alley lying between Official Tax Nos. 1220415 and 1220416, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the petition is concurrent with the petitioner's request to rezone Official Tax No. 1220415 from RM-2, Residential Multi Family, to C-2, General Commercial District; and the petitioner intends to add the alley to the site where he operates an automotive repair shop, was before Council.

The City Planning Commission recommended that Council approve the request, subject to certain conditions.

Mr. Dowe offered the following ordinance:

(#36174-121602) AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 29.)

Mr. Dowe moved the adoption of Ordinance No. 36174-121602. The motion was seconded by Mr. Harris.

Roy V. Creasy, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the closure of rights-of-way. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36174-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of WS Associates of Virginia, L. L. C., to rezone two tracts of land located at the intersection of 1261 Riverland Road and Garden City Boulevard, S. E., identified as Official Tax Nos. 4360104 and 4360103, from RM-1, Residential Multi-family, Low-Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Saturday, November 30, 2002, Saturday, December 7, 2002, and Saturday, December 14, 2002.

A report of the City Planning Commission advising that the petitioner plans to construct a “country-store style” neighborhood convenience store, with gasoline sales, and incorporate a fast food restaurant tenant, which use requires a special exception from the Board of Zoning Appeals, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, advising that given the proffered uses, consistency of the location with the “Automobile-Oriented Village Center” concept, and proffered conditions that address development issues of off-street parking, signage, and a gas pump island canopy, the request for rezoning to General Commercial, with proffered conditions, is an appropriate use of the property.

Mr. Carder offered the following ordinance:

(#36175-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 436, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 31.)

Mr. Carder moved the adoption of Ordinance No. 36175-121602. The motion was seconded by Mr. Dowe.

Maryellen F. Goodlatte, Attorney, appeared before Council in support of the request of her client.

The Mayor inquired if there were persons present who would like to address Council in connection with the request for rezoning. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36175-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING-Y.M.C.A.-CITY PROPERTY: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposal of the City of Roanoke to convey, by exchange, a portion of City-owned property bearing Official Tax Nos. 1113418 and 1113419, for development and use of a new facility between the Young Men's Christian Association (YMCA) and the City of Roanoke, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, December 8, 2002.

The City Manager submitted a communication advising that in July 2001, Council approved execution of the collaborative Agreement for partnering on the development and use of a new facility between the YMCA and the City of Roanoke; progress of the Agreement was halted when it was discovered that a parking arrangement with a nearby church was not taken into consideration; while reassessing terms and provisions of the agreement, other facts became apparent; and the original Agreement did not take into consideration several issues that the proposed new Agreement addresses.

It was further advised that in the original Agreement the YMCA made certain warranties with regard to the property; the YMCA was to convey to the City as to the environmental representations known; however, an environmental site assessment has since been completed, which has determined that there is an underground fuel storage tank and friable asbestos insulation in certain parts of the YMCA structure that may require removal, mitigation, or encapsulation; the new Agreement takes into account environmental issues discovered and mitigation expenses associated with such environmental concerns; and provisions have been included in the Agreement for the sharing of mitigation costs and a cap has been placed on City commitments.

It was explained that in order to resolve newly identified issues, it is necessary to alter the Agreement with the YMCA; the Agreement has been changed to stipulate that the YMCA will ensure that the underground fuel tank will be removed according to accepted environmental standards identified by the City, and the YMCA will share in costs associated with mitigation of the asbestos, which will be done prior to the City taking title to the property.

It was noted that when the properties are transferred, the City will not obtain the title to the YMCA property until the YMCA has received a certificate of occupancy for the new facility; the YMCA will use its existing property, as well as the two parcels of land provided by the City, as collateral with its lender; no terms were identified in the original Agreement as to the preferred delivery of the property for the City, and since that time, language has been incorporated that determines that property for the City be delivered free of all liens and liabilities.

The City Manager advised that originally, the \$200,000.00 annual payments were to begin on September 1, 2001 to the YMCA; due to environmental and property issues, the first payment will not begin until April 1, 2003; as a result of the delay in finalizing the original Agreement, it has been requested that certain target dates be adjusted; and funding for the City's ten year, \$2.0 million commitment (\$200,000.00 per year) is to be provided annually through interest earnings in the Capital Projects Fund.

The City Manager recommended that she be authorized to execute the revised Purchase and Sale Agreement, to be approved as to form by the City Attorney, and any other documents necessary to implement the terms of the Agreement.

Mr. Carder offered the following ordinance:

(#36176-121602) AN ORDINANCE authorizing the City Manager to enter into an agreement between the City of Roanoke and the YMCA of the Roanoke Valley, Inc., for the development and use of a new facility, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 33.)

Mr. Carder moved the adoption of Ordinance No. 36176-121602. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36176-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Council Member Bestpitch stated that his spouse is an employee of the YMCA of the Roanoke Valley, Inc., and he has been advised by the City Attorney that inasmuch as no funds are being appropriated, he is not required to abstain from voting on the matter.

ZONING-Y. M. C. A: Pursuant to Resolution No. 25523 adopted by Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of the YMCA of the Roanoke Valley, Inc., to rezone tracts of land lying between Campbell Avenue, Fifth Street, Luck Avenue and Sixth Street, S. W., comprising approximately 2.89 acres, more or less, and identified as Official Tax Nos. 1113401, 1113408 - 1113412, inclusive, and 1113414 - 1113425, inclusive, from C-1, Office District, to C-3, Central Business District, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission, advising that the YMCA of the Roanoke Valley, Inc., plans to construct a new YMCA facility; and upon completion, the new facility will replace the YMCA Central Branch currently located at the northeast corner of Church Avenue and Fifth Street, S. W.

The City Planning Commission recommended that Council approve the request for rezoning to C-3, Central Business District, advising that given the development and success of the Jefferson Center and the YMCA's role in helping to solidify an anchor for the western edge of downtown, the rezoning request allows for an appropriate and desirable use of the properties.

Mr. Dowe offered the following ordinance:

(#36177-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 111, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 34.)

Mr. Dowe moved the adoption of Ordinance No. 36177-121602. The motion was seconded by Mr. Carder.

James F. Douthat, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36177-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

CITY PROPERTY-WESTERN VIRGINIA FOUNDATION FOR THE ARTS AND SCIENCES-IMAX THEATRE: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of a portion of City-owned property, identified as Official Tax No. 4010217, to the Western Virginia Foundation for the Arts and Sciences, for design, development and construction on the property of a new building or complex to house an art museum and IMAX Theatre, subject to terms of an Agreement dated April 16, 2001, and any subsequent amendments to such Agreement between the City and the Foundation, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

The City Manager submitted a communication advising that an agreement between the City of Roanoke and the Art Museum of Western Virginia for design, development and construction of a new building or complex to house the art museum and IMAX Theatre was entered into on October 4, 2000; part of the Agreement, as amended, involves the donation of certain property to the Foundation for its new building; the City desires to convey additional property which is needed for construction containing 0.052 acre identified as Official Tax No. 4010217 to the Western Virginia Foundation for the Arts and Sciences; this parcel of land is

currently assessed at \$14,800.00; and actual conveyance would not be made until such time as the Foundation certifies to the City that the Art Museum has a binding contract with a contractor to commence construction of the project and that the property is needed for such purpose.

The City Manager recommended, following the public hearing, that she be authorized to execute an amendment to the Agreement dated October 4, 2000, to provide for donation of Official Tax No. 4010217 to the Western Virginia Foundation for the Arts and Sciences, subject to terms applicable to other property to be donated to the Foundation, such document to be approved as to form by the City Attorney; and the Foundation will be responsible for all title work, surveying, plat preparation, and preparation of legal documents.

Mr. Bestpitch offered the following ordinance:

(#36178-121602) AN ORDINANCE authorizing the City Manager to execute Amendment No. 1 to the Agreement dated April 16, 2001, between the City of Roanoke and the Western Virginia Foundation for the Arts and Sciences ("Foundation"), such Agreement dated April 16, 2001, providing for the conveyance of property for the development and construction of a new building or complex to house an art museum and an IMAX Theatre, and such Amendment No. 1 providing for the conveyance of additional property from the City to the Foundation, the extension of a deadline therein, and the ability of the Foundation, or its successors in interest, to relocate utilities in First Street, S. E., to private property, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 35.)

Mr. Bestpitch moved the adoption of Ordinance No. 36178-121602. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter. There being none, he declared the public hearing closed.

Council Member Dowe advised that he serves on the Board of Directors of the Art Museum of Western Virginia and inquired if he should abstain from voting on the matter; whereupon, the City Attorney stated that serving on the Board of Directors would not represent a conflict of interest.

There being no discussion by Council, Ordinance No. 36178-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

WESTERN VIRGINIA FOUNDATION FOR THE ARTS AND SCIENCES-STREETS AND ALLEYS-IMAX THEATRE: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of the Western Virginia Foundation for the Arts and Sciences, a Virginia non-stock corporation, that portions of Norfolk Avenue and First Street, S. E., adjacent to Official Tax No. 4010205, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the petitioner requests closure of two portions of right-of-way: 1st Street, S. E., between Norfolk and Salem Avenues, and a portion of Norfolk Avenue that adjoins the aforementioned portion of First Street; and the petitioner plans to combine the subject portions of rights-of-way with Official Tax Nos. 4010205 and 4010217 to develop an art museum/IMAX theater complex, upon acquisition of the properties from the City of Roanoke, was before Council.

The City Planning Commission recommended approval of the request, subject to certain conditions listed below, advising that a land conveyance agreement is being negotiated between the petitioner and the City, which will allow the petitioner to combine Official Tax No. 4010217 with the subject portions of rights-of-way and Official Tax No. 4010205; and it is further recommended that the petitioner not be charged for the portions of rights-of-way.

Mr. Carder offered the following ordinance:

(#36179-121602) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 37.)

Mr. Carder moved the adoption of Ordinance No. 36179-121602. The motion was seconded by Mr. Dowe.

Stephen W. Lemon, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the closure of right-of-way. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36179-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

FLOOD REDUCTION/CONTROL-STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of Martha G. Hayes and Stanley C. Simmons, Jr., that a certain portion of an alley lying between Official Tax Nos. 4151204 and 4151205, extending from its southerly boundary at Arbutus Avenue, S. E., to the boundary of property acquired by the Roanoke River Flood Reduction Project, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the City has acquired property from the petitioner as a part of the Flood Reduction Project; in exchange, the Department of Engineering assisted the petitioners in filing the petition; and the subject alley is not developed and does not serve any function for City services, or for access to parking for the adjoining property owners, was before Council.

The City Planning Commission recommended approval of the request, subject to certain conditions; and further recommended that the petitioners not be charged for the alley inasmuch as closure will not result in any additional development potential for adjoining properties.

Mr. Carder offered the following ordinance:

(#36180-121602) AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 40.)

Mr. Carder moved the adoption of Ordinance No. 36180-121602. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons present who would like to address Council in connection with the closure of public rights-of-way. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36180-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

NEIGHBORHOOD ORGANIZATIONS/PLANS-COMMUNITY PLANNING:
Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to an amendment to Vision 2001-2020, the City's Comprehensive Plan, to include the Peters Creek North Neighborhood Plan and the Loudon-Melrose/Shenandoah West Neighborhood Plan as elements of Vision 2001-2020, the City's Comprehensive Plan, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that Vision 2001-2020 recommends that detailed neighborhood plans be developed and adopted for each of Roanoke's neighborhoods; and the plan for Peters Creek North has been reviewed by the neighborhood, by City staff and by the Long Range Planning Committee of the City Planning Commission, was before Council.

The City Planning Commission recommended the Peters Creek North Neighborhood Plan for adoption as a component of Vision 2001-2020.

Mr. Dowe offered the following ordinance:

(#36181-121602) AN ORDINANCE approving the Peters Creek North Neighborhood Plan, and amending Vision 2001-2020, the City's Comprehensive Plan, to include the Peters Creek North Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 42.)

Mr. Dowe moved the adoption of Ordinance No. 36181-121602. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to address Council in connection with the Peters Creek North Neighborhood Plan. There being none, he declared the public hearing closed.

There being no discussion by Council, Resolution No. 36181-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

A report of the City Planning Commission advising that the Loudon-Melrose/Shenandoah West Neighborhood Plan comprises two neighborhoods in the northwest quadrant of the City; Loudon-Melrose is one of the City's rehabilitation districts, and was recently selected by Council as one of six potential revitalization areas for the allocation of Community Development Block Grant (CDBG) funds; the area is bounded by Orange and Melrose Avenues to the north, the railroad tracks to the south, 24th Street to the west, and 14th Street to the east; and Shenandoah West is bound by Melrose Avenue to the north, the railroad tracks to the south, 31st Street to the west, and 24th Street to the east, was before Council.

It was further advised that Loudon-Melrose is a traditional neighborhood that was primarily developed in the 1920s with single-family homes; Shenandoah West was developed much later with primarily industrial and multi-family residential complexes; and both areas are bound by industrial and commercial development.

The City Planning Commission recommended approval of the Loudon-Melrose/Shenandoah West Neighborhood Plan for adoption as a component of Vision 2001-2020.

Mr. Harris offered the following ordinance:

(#36182-121602) AN ORDINANCE approving the Loudon Melrose/Shenandoah West Neighborhood Plan, and amending Vision 2001-2020, the City's Comprehensive Plan, to include the Loudon Melrose/Shenandoah West Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 43.)

Mr. Harris moved the adoption of Ordinance No. 36182-121602. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council in connection with the Loudon Melrose/Shenandoah West Neighborhood Plan. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36182-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a request of Roanoke Valley Harley Davidson Owners Group, Inc., for amendment of proffered conditions regarding a parcel of land lying on the east side of Peters Creek Road, N. W., designated as Official Tax No. 6380101 (1925 Peters Creek Road, N. W.), containing a total of 9.1218 acres; and to amend, repeal or replace proffered conditions authorized by Ordinance No. 35030-090500 presently binding upon Official Tax No. 6380101, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

The City Planning Commission submitted a written report advising that in September, 2000, pursuant to Ordinance No. 35030-090500 certain proffers were repealed and Official Tax Nos. 6370306, 6380101, 6380102, and 6380104 were rezoned from RS-3, Single Family Residential, to C-2, General Commercial, subject to certain proffered conditions; subsequently, the tax parcels were combined into one tax parcel identified as Official Tax No. 6380101, the subject of the petition to amend proffered conditions; and eight conditions are presently binding upon the subject property as a result of the conditional C-2, General Commercial rezoning in 2000; the petitioner requests that Proffer No. 2 (That the property shall be used only for the purpose of selling motorcycles, motorcycle accessories and related clothing and the servicing of motorcycles.) be amended, as follows:

2. That the property shall be used only for the purpose of selling motorcycles, motorcycle parts and accessories and other related items and including the servicing of motorcycles, and clubs, lodges and fraternal organizations incidental to, and accessory to, the use of the property to sell motorcycles, motorcycle parts and accessories and other related items, and servicing of motorcycles, subject to the following restrictions:

- a) That no alcoholic beverages shall be permitted on the premises.
- b) That the use of the facility for club, lodge and fraternal organization activities shall not extend beyond 10:00 p.m.

The City Planning Commission recommended that Council approve the amendment of proffers on the subject property.

Mr. Carder offered the following ordinance:

(#36183-121602) AN ORDINANCE to amend §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 638, Sectional 1976 Zone Map, City of Roanoke, in order to amend certain conditions presently binding upon certain property previously conditionally rezoned from RS-3, Single Family Residential District, to C-2, General Commercial District, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 44.)

Mr. Carder moved the adoption of Ordinance No. 36183-121602. The motion was seconded by Mr. Harris.

Edward A. Natt, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the amended conditions to rezoning. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36183-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of Bland A. Painter, III, Betty J. Painter and FR-1 Investments, L. L. C., to rezone approximately 7.292 acres of land, more or less, on Franklin Road, S. W., identified as Official Tax Nos. 1272504, 1272505, 1150103, and a portion of 1150106, from LM, Light Manufacturing District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioners, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the petitioner proposes to develop a shopping center on the site of the rezoning request (although such development is not proffered by site plan or in language); the proposed development also incorporates the property at the corner of Franklin Road and Wonju Street, which property is owned by the petitioner and is zoned C-2, General Commercial District; the subject site is undeveloped, with the exception of a stone veneer structure that currently houses a massage and spa establishment (Official Tax No. 1150103) and a 32,882 square foot warehouse (formerly Holdren's) located on Official Tax No. 1150106; and two outdoor advertising structures are located on the site.

It was further advised that an amended petition, with conditions, was filed on November 19, 2002, and a second amended petition was filed on December 5, 2002, with certain proffered conditions.

The City Planning Commission recommended that Council approve the rezoning request, with amended proffers.

Mr. Dowe offered the following ordinance:

(#36184-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet Nos. 127 and 115, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 46.)

Mr. Dowe moved the adoption of Ordinance No. 36184-121602. The motion was seconded by Mr. Carder.

Maryellen F. Goodlatte, Attorney, appeared before Council in support of the request of her client and advised that the petitioner seeks to down zone property at the intersection of Wonju Street and Franklin Road, S. W., from LM to C-2, with proffered conditions, in order to develop an up scale retail shopping center, and has proffered a gourmet specialty grocery store as one of its users. She stated that the petitioner has been working with the Wild Oats chain, which is a gourmet grocery store, and if efforts are successful, the City of Roanoke will have the first Wild Oats location in Virginia. She explained that the City Planning Commission spent considerable time and consideration in redefining the petition for rezoning during its public hearing and a number of additional proffers were made by the petitioner to meet the concerns of the City Planning Commission, most notable the tying of a Wild Oats, or a competitor of Wild Oats, to the property via proffers and, if a Wild Oats, or one of its competitors, does not locate on the site, the petitioner must come back to the City, which proffer, coupled with certain other proffers contained in the petition, places a large hammer over the head of the developer.

The Mayor inquired if there were persons present who would like to address Council in connection with the request for rezoning; whereupon, Mr. David Tenzer, 3072 Poplar Lane, S. W., spoke in support of the development as a quality of life

issue for those persons who have lived in the area for a long period of time who have been waiting for a Wild Oats, or gourmet type grocery store, to locate in the Roanoke area. He stated that a Wild Oats store will provide a positive draw for young professionals and encouraged Council to approve the request for rezoning.

There being no further speakers, the Mayor declared the public hearing closed.

Council Member Cutler expressed concern that Ore Branch bisects the property and there will be a challenge in addressing the flow of a creek that originates in the Route 220 area, along with storm water from the parking lots at Wal-Mart, Lowe's, Tanglewood Shopping Mall, etc., coming down Franklin Road onto the property in question. Although a large culvert is envisioned to handle the flow of water, he questioned how water quality protection responsibilities will be addressed.

A representative of Hayes, Seay, Mattern and Mattern, Engineers, advised that there are two components to the water issue on the site: (1) water that passes through the site, but does not originate on the site, will be addressed by certain actions that are designed to keep water off of the site; and (2) water that falls on the site will be subject to requirements that apply to every other site in the area with regard to containment and treatment, the normal method being through a detention pond to detain the water, or allow the water to evaporate and release slowly through an outlet structure, etc. He stated that the petitioner has not reached the point of preparing a detailed design, but the site will be subject to the same requirements that are imposed on other developers.

Council Member Bestpitch referred to certain language contained in the petition for rezoning which states that the property is located at a key commercial intersection, and the property has the potential to physically enhance the Franklin Road corridor, while providing significant economic benefits beyond its current use. He concurred in the statement and advised that the most important way, as identified through the Comprehensive Plan process, to visually enhance these types of corridors is by situating the buildings close to the street and not continuing to build strip commercial centers where all buildings are at the rear of the property and nothing exists between the street and the businesses except asphalt. He expressed concern that there is nothing in the rezoning petition to prevent that from happening. He called attention to those individuals who have commented on the fact that they do not understand why anyone would be concerned about making the development accessible to walkers, bicyclists, or to those persons who are not in automobiles,

because they cannot imagine anyone wanting to walk to this intersection. He added that as long as the City does not change the way it plans, designs and develops these types of properties, the City will never reach the point where anyone can imagine that these types of projects can be built in a pedestrian friendly manner. He referred to models all across the country where communities are doing exactly that which is the vision that was outlined in the City's Comprehensive Plan. He strongly encouraged those persons involved in the project to begin work early in the process to site some of the buildings as close to the street as possible.

Council Member Carder advised that the project offers something for everyone, and he intends to support the rezoning. He advised that the Wild Oats chain shares Roanoke's vision as stated in its Comprehensive Plan, and Wild Oats locations are generally constructed fairly close to roads, with considerable landscaping.

Council Member Dowe applauded the process, and stated that when the plan first came forth, it was somewhat nebulous in nature and throughout the planning process, an agreement came to fruition. He commended the City Planning Commission, staff, and the petitioner on their cooperation in bringing the project to a worthwhile conclusion. He echoed the sentiments of Mr. Bestpitch and called attention to future possibilities as aesthetically pleasing buildings and landscaping, etc., are phased in.

The Mayor advised that the Painter family has a reputation for being grocers, and he is confident that they will locate a Wild Oats, or its equivalent, on the area in question.

There being no further discussion, Ordinance No. 36184-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to amendment of Sections 36.1-206, Permitted uses, C-2, General

Commercial District, and 36.1-228, Special Exception Uses, C-3, Central Business District, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide standards for motor vehicle service station canopies in said zoning districts, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the proposed amendment was initiated as a result of a July, 2002, joint meeting of the Architectural Review Board and City Council, with similar concerns reiterated at a joint meeting of the City Planning Commission and City Council in August, 2002; and the directive was that the zoning ordinance should regulate the maximum height and illumination of canopies being constructed over gas pump islands, was before Council.

It was further advised that the proposed amendment provides regulations for canopies over gas pump islands in the districts where gas stations and neighborhood and highway convenience stores are currently permitted, i.e.: C-2, General Commercial District (permitted uses), and C-3, Central Business District (by special exception); and more specifically, the proposed amendment incorporates new regulations for motor vehicle service station canopies in the C-2, General Commercial District, permitted uses section, and modifies and expands current regulations of such canopies by special exception in the C-3, Central Business District.

The City Planning Commission recommended that Council approve the proposed text amendments, which will enhance streetscapes, reduce visual clutter, limit the scale of signs, and reduce light pollution, consistent with recommendations of Vision 2001-2020.

Mr. Carder offered the following ordinance:

(#36185-121602) AN ORDINANCE amending and reordaining §36.1-206, Permitted uses, of Subdivision C, C-2; General Commercial District, of Article III; District Regulations; and §36.1-228, Special exception uses, of Subdivision D, C-3; Central Business District, of Article III, District Regulations, of the Code of the City of Roanoke (1979), as amended, to provide standards for motor vehicle service station canopies in those zoning districts; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 47.)

Mr. Carder moved the adoption of Ordinance No. 36185-121602. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to address Council in connection with the proposed amendment. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36185-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING-COMMITTEES-OATHS OF OFFICE: The Mayor advised that there are two vacancies on the Board of Zoning Appeals, whereupon, he opened the floor for nominations.

Mr. Carder placed in nomination the names of William D. Poe and Joseph Miller.

There being no further nominations, Mr. Poe was reappointed and Mr. Miller was appointed as members of the Board of Zoning Appeals, for terms ending December 31, 2005, by the following vote:

FOR MESSRS. POE AND MILLER: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

HEARING OF CITIZENS UPON PUBLIC MATTER: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

CITY EMPLOYEES-COMPLAINTS: Mr. Robert Gravely, 729 Loudon Avenue, N. W., addressed Council with regard to insufficient wages for City employees, lack of progress by the City of Roanoke, misappropriation of City funds, and the City's lack of concern for its disadvantaged citizens.

At 8:05 p.m., the Mayor declared the meeting in recess until Wednesday, December 18, 2002, at 2:00 p.m., at the Hotel Roanoke and Conference Center, Appalachian Room, 110 Shenandoah Avenue, N. W., for the City Council's Planning Retreat.

The City Council meeting reconvened on Wednesday, December 18, 2002, at 2:00 p.m., in the Appalachian Room, The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, N. W., for a continuation of the Council's Planning Retreat which was held on Thursday, October 17, 2002.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

OTHERS PRESENT: Rolanda B. Russell, Assistant City Manager for Community Development; George C. Snead, Jr., Assistant City Manager for Community Development; and Lyle Sumek, representing Lyle Sumek Associates, Inc., facilitator.

Mr. Sumek advised that the retreat was a follow up to a previous Council retreat which was held on October 17, 2002, to review goals and objectives that were identified by the Council.

The following summary of the October 17, 2002, meeting was presented:

Major Achievements Include:

Comprehensive Plan - Adoption

City's Response - Water Crisis

Southeast by Design

Stadium/Amphitheater Project

Redirecting CDBG Funding - Neighborhood Impact

Budget - Process and Document

Riverside Development

Air Service Strategy

Civic Center Expansion

Fire-EMS

Greenway and Trail System

First Floor - Improvements

Environmental Action

Support for Special Events

**Housing Developments - Opportunities for More Housing
and Choices**

Mr. Sumek reviewed impacts on the City of Roanoke; i.e.:

**Builds Community Pride, Confidence in Roanoke's Future, Growing
Positive Reputation**

Focus on the Future - Achieve Goals, Completing Projects

**Emphasis - Sustainability - Long-Term Perspective, Best for Roanoke's
Future**

**Progressive - Creative Solutions to Problems and Issues, to be More
Responsive to Citizens**

**Public-Private-Teamwork - Partnering on Major Projects, Maximizing
the Community's Resources**

More Attractive City - Cleaned Up Neighborhoods and Buildings

Growing Economy and Revenues - New Businesses, Growing Businesses

More Livable City - In Creating Housing Opportunities, More Amenities Valued by Citizens

Better Environmental Stewardship - Green and Clean City; Protection of Natural Resources, Cleaner and More Usable River

Foundation for Events - A Festival City - "A Cool Factor"

Enhances Tourism Opportunities - Dollars to Roanoke, Customers to Roanoke

Want to Live and Visit Roanoke

Mr. Sumek reviewed the following items listed by the Mayor and Members of Council in looking to Roanoke's future:

Vibrant Town - Exciting for Young Persons

Diversity

National Tourist Attraction

Connectivity with College

Consider Roanoke as a Place to Live

Riverside Centre

Improved Housing - No Substandard Housing

24/7 Downtown

Greenway

Healthy Arts, Culture, Museum

First Rate Schools

Mobility to Outside World

Water Resources

Live for All

No. 1 Livable

Vibrant - Neighborhoods

Downtown

Major Festival

Regional Cooperation

Destination Opportunities

Business Center

Value

Entertainment Center for Region

Capital of Western Virginia

Mr. Sumek advised that the major challenges listed by the Mayor and Members of Council are:

Economic Development - Lack

State Budget/Dillon Rule

Comprehensive Plan - Implementation Independent Cities

No Regionalization

Politics vs. Governance

Correcting Misinformation

Overcoming “Roanoke Not Ready for It” - Resistance to Change

Financial Creativity

Patience

Fear

Competent Council

Disadvantaged Neighborhoods

Air Quality Deterioration

Resistance by Developers

Go Back to 1920's

Balance in Community

Citizens - Ambassador for Community

Transportation Link

Connections with University

Regional Competitiveness

Internal Branding - City of Roanoke

Mr. Sumek reviewed the following opportunities on the horizon from the perspective of the Mayor and Members of Council:

Comprehensive Plan - Implementation Actions

Space for Upper Income Housing

Downtown Investment

Water Management - Regional Cooperation

Village Centers

Better Use of Parking Lots - Building Safe, Clean Place to Live

City as Region Leader

Riverside Development - Retail Mix; Incorporating River, Effective Use of Riverfront

Attractions - Major Sporting Events

Attractions - Events, Festivals

Air Service and Passenger Rail Service

Downtown - Trolley System

Regional Economic

Mr. Sumek reviewed the following principles to guide Roanoke's future - Roanoke 2012 - Its Vision:

Recognized as the Capital of Western Virginia - Economic, Government, Service, Culture

Strong Neighborhoods - Quality City Infrastructure, Livable Homes

Recognized for Educational Excellence - First Rate Schools, Preschools to Universities

City Connectivity with Universities and Colleges

Riverfront Developed as an Exciting, Mixed Use Focal Point - To Live, To Work, To Play

Protection of Roanoke's Natural Beauty and Resources

Reuse and Redevelopment of Land for Better Uses

Businesses and Individuals Investing in Roanoke, in Downtown

Entertainment Destination Point - Major Events, Sports and Festivals

Young Adults Choose to Live in Roanoke - Reputation as an Exciting Place to Live

Ease in Travel To and From Roanoke - Air, Rail, Highway

Quality Water Supply - Adequate, Affordable Costs Meeting Community Needs

Strong Community Pride in Roanoke

Financially Sustainable City Government with Cost-Effective Service Delivery

Mr. Sumek advised that the majority of the remainder of the retreat would center around a discussion regarding the four major goals identified by the Mayor and Members of Council:

Healthy Local Economy

Strong Neighborhoods

Vibrant Greater Downtown

Quality Services - Responsive, Cost Effective

GOAL NO. 1 - HEALTHY LOCAL ECONOMY:

Objectives include:

Promote Development of Upper End Housing Opportunities

Partner with Other Localities to Attract Businesses to the Roanoke Valley

Actively Promote and Market “Roanoke” - Our Brand

Support Retention and Expansion of Local Businesses and Increase Participation by All Businesses

Strengthen the Roanoke Valley Link to Other Metropolitan Areas Via Air Service, Rail Service and Interstate Highways

Diverse Local Economy - Medical, Government, Tourism, Small Businesses

Place for Businesses to Start and Grow

Development of a Quality Workforce Linked to Job Opportunities

Raise Per Capita Income at Level to Support Families

Wastewater, Water Capacity to Support Businesses, Including Water Reuse

Expanded Outdoor Activities in the Natural Area

More Unique, Distinctive Shopping Opportunities Attracting Shoppers and Producing Sales Tax

Mr. Sumek requested that Council Members, individually, rank the top six of the above listed objectives; whereupon, the following were submitted:

Promote Development of Upper End Housing Opportunities

Actively Promote and Market “Roanoke” - Our Brand

Support the Retention and Expansion of Local Businesses and Increase Participation by All Businesses

Diverse Local Economy - Medical, Government, Tourism, Small Businesses

Development of a Quality Workforce Linked to Job Opportunities

More Unique, Distinctive Shopping Opportunities Attracting Shoppers and Producing Sales Tax

Mr. Sumek reviewed the following challenges and opportunities for a Healthy Local Economy:

Strong Link to Virginia Tech

Non-College Degreed Jobs

Vocational Training - School System

Keep College Graduates in Roanoke

Tourism Promotion

Employees Prepared for Business Opportunities

Attracting Distinctive High-End Shopping Opportunities

Mr. Sumek reviewed the following actions listed by Council for 2002-2003 to promote the goal of a Healthy Local Economy:

Economic Development - Game Plan (Link to Regional Alliance)

Air Service - Expansion

Civic Center - Expansion

Stadium-Amphitheater Project

Marketing and Branding Program - Region (Internal/External)

High Schools - Direction

Rail Service

I-73 Direction

I-81/I-S81

Riverside Development

Partnering With Developers for Quality Projects:

Develop action plan to change mind set

Strengthen relationships with local developers/realtors including their understanding of the City's design standards

Better understanding of what the design standards are and how they can be utilized by the community

Evaluate incentives for developers - attract new developers and local developers adherence

Ensure adherence to development standards and design standards approved by Council

Upscale Retail Attraction Project

Mr. Sumek requested that Council Members rank their top four choices from the above listed actions to be accomplished during the next year; whereupon, the following received the highest ranking:

Economic Development - Game Plan (Link to Regional Alliance)

Air Service - Expansion

Stadium/Amphitheater Project

Marketing/Branding Program - Region - Internal/External

GOAL NO. 2 – STRONG NEIGHBORHOODS:

Objectives include:

Improving Property Maintenance through Prevention and Enforcement - Including Removal of Blighted/Worn-out Structures

Involving Citizens as Responsible Partners in Enhancing Quality of Neighborhoods and Addressing Neighborhood Problems

Supporting Homeownership and Well-Maintained, Safe Homes - Range of Homes Available at Affordable Prices

Developing and Using Realistic, Usable Neighborhood Plans that Link to Comprehensive Plan and Guides the Future of the Neighborhood

Protecting the Integrity of the Neighborhood Through Design/Development Standards, Standards for Infill

Preserving Roanoke's Community Heritage – Its Architecture, Neighborhoods, and Housing Options

Significant Improvement in Specific Targeted Neighborhoods

Linking Neighborhoods to Amenities

Pedestrian-Friendly Street Designs and Neighborhoods

Diverse Incomes Living in Neighborhoods

Maintaining/Improving City Infrastructure - Streets, Streetscapes

Mr. Sumek requested that Council Members individually rank the top six most important objectives over the next five years; whereupon, the following received the highest ranking:

Improving Property Maintenance through Prevention and Enforcement - Including Removal of Blighted/Worn-out Structures

Involving Citizens as Responsible Partners in Enhancing Quality of Neighborhoods and Addressing Neighborhood Problems

Developing and Using Realistic, Usable Neighborhood Plans that Link to Comprehensive Plan and Guides the Future of the Neighborhood

Protecting the Integrity of the Neighborhood through Design/Development Standards, Standards for Infill

Significant Improvement in Specific Targeted Neighborhoods

Maintaining/Improving City Infrastructure - Streets, Streetscapes

Mr. Sumek advised that challenges and opportunities include:

Responsibility of City - Abandoned Homes

Implementation of Comprehensive Plan

Infill and Neighborhood Integrity

Diversity of Income Levels

Variety of Housing Choices

Downtown Living Opportunities

Focusing Dollars for Maximum Impact

Pedestrian Friendly - Applications to Specific Neighborhoods and Projects

Maintaining City Infrastructure

Mr. Sumek advised that actions in regard to Strong Neighborhoods include the following:

Zoning Ordinance

Neighborhood Design Ordinance - Decision Implementation

Williamson Road - Direction

Jamison Corridor Direction

Streets (Neighborhood) - Direction and Funding

Abandoned Homes - Policy, Direction

Upper Income Housing - New or Upgrade

Incentives for Housing

Neighborhood Amenity Strategy

Strengthening Neighborhood Associations and Making Them More Effective

Mr. Sumek requested that Council Members individually rank the top five choices of the above listed actions; whereupon, the following received the highest ranking:

Zoning Ordinance

Upper Income Housing/New or Upgrade

Incentives for Housing

Neighborhood Amenity Strategy

Strengthening Neighborhood Associations and Making Them More Effective

GOAL NO. 3 - VIBRANT GREATER DOWNTOWN:

Objectives include:

Increasing Residential Opportunities in the Downtown Area, Including Attracting Support Business - Supermarket, Drugstore, Other Retail

Expanding Downtown Revitalization into Areas Surrounding Neighborhoods

Supporting Major Projects - Education Center, Riverside Centre – Job Opportunities, Building/Infrastructure Development

Enhancing Downtown Aesthetics and Cleanliness - Greenspaces, Trees, Streets and Streetscapes

Protecting Quality of Downtown Development Through Zoning, Development Standards, Quality Infrastructure

More Adequate, Accessible Parking to Support Downtown Revitalization

Developing Reputation as a Center for Culture and Arts, Entertainment

Expanding Entertainment Opportunities

Developing Connecting Districts - Market, Financial, Rail

Alive 24/7

Maintaining Integrity for Downtown

Determining Best Land Use in Downtown

Becoming Destination Point - People Coming to and Attracted to Downtown

Mr. Sumek requested that Council Members individually rank the top six of the above listed objectives; whereupon, the following received the highest ranking:

Increasing Residential Opportunities in Downtown Area, Including Attracting Support Businesses – Supermarket, Drugstore, Other Retail

Supporting Major Projects - Education Center, Riverside Center – Job Opportunities, Building Infrastructure Development

Protecting Quality of Downtown Development Through Zoning, Development Standards, Quality Infrastructure

Developing Reputation as Center for Culture and Arts, Entertainment

Expanding Entertainment Opportunities

Becoming Destination Point – People Coming to and Attracted to Downtown

Mr. Sumek reviewed the following challenges and opportunities for a vibrant and greater downtown:

Residents Image - Boundary of Downtown

Connecting District

Transit Services Within Downtown

Living in Downtown

Parking

Linking River, Central Business District and Adjacent Neighborhoods

Best Land Use - Decision

Mr. Sumek reviewed the following actions for a Vibrant Greater Downtown:

Civic Center Project

Stadium Project

Artspace Direction

E-Town

Trolley System

Stormwater Management

Wastewater Treatment

Roanoke River Strategy

Greenway - Linear Park Development

Downtown Residential Strategy (Second Level and Up)

A Master Plan for Downtown Including Amenities and Residential Opportunities

Mr. Sumek requested that Council Members individually rank the top four of the above listed actions; whereupon, the following received the highest ranking:

E-Town

Downtown Residential Strategy (Second Level and Up)

Master Plan for Downtown Including Amenities for Residential Opportunities

The Mayor left the meeting at 5:00 p.m.

GOAL NO. 4 - QUALITY SERVICES: RESPONSIVE, COST EFFECTIVE:

Mr. Sumek reviewed the following objectives:

Investing and Using Technology in Service Delivery and Management

Evaluating City Performance Through City Surveys and Benchmarks

Developing and Retaining Productive, Motivated Workforce with Well-Trained, Competent and Diverse Employees

Process of Continuous Improvement Empowering Employees to Offer Ideas and to Try a New Approach

Quality City Facilities and Buildings

Streamlining Service Delivery

Focusing on Core Competency of City

City Providing Valued Services, Responsive Delivery

Use of Green Technology and Resources by City Government

Customer Service Valued and Demonstrated by City Employees

Greater Accountability for Services, Results

Mr. Sumek requested that Council Members individually rank the top five of the above listed objectives; whereupon, the following received the highest ranking:

Investing and Using Technology in Service Delivery and Management

Developing and Retaining Productive, Motivated Workforce with Well-Trained, Competent and Diverse Employees

Process of Continuous Improvement Empowering Employees to Offer Ideas and to Try a New Approach

Quality City Facilities and Buildings

Customer Service Valued and Demonstrated by City Employees

Mr. Sumek reviewed the following challenges and opportunities:

Public Education - Service, Trade Off

Contracting Services

New Markets and “Business” Opportunities

Use of Technology

Continuously Improving Service Delivery

Defining “Core Competency” of City of Roanoke

Customer Service

Funding City Service, Service Levels

State Actions

Mr. Sumek reviewed the following actions for 2002-03 as expressed by the Members of Council:

State Lobbying - Revenues, Finances

Budget Strategy - Next Year

Streamlining City Government - Evaluation

Services - Evaluation and Business Plan

Citizen Involvement Strategy

Recycling - Evaluation

State Lobbying - Revenues, Finances

Mr. Sumek requested that Council Members individually rank the top four actions; whereupon, the following received the highest ranking:

State Lobbying - Revenues, Finances

Services - Evaluation and Business Plan

Water Structure, Infrastructure and Finance Strategy

Employee Attitude Evaluation/Actions

At 5:15 p.m., the meeting was declared in recess for dinner.

The meeting reconvened at 6:55 p.m., in the Appalachian Room of the Hotel Roanoke and Conference Center.

The following items were identified as the Policy Agenda for 2003:

Branding and Marketing Program

Riverside Development Action

Quality Development Strategy - Residential/Retail

Upscale Retail/Attraction Strategy

Incentives for Housing

Neighborhood Amenities - Strategy

Art Space Direction

E-Town

State Lobby - Revenue - Finances

Water Policy Directions

At 8:00 p.m., Council Member Dowe left the meeting.

From the above listed policy items, Mr. Sumek requested that Council Members individually rate the top five; whereupon, the following received the highest ranking:

Water Policy Directions

Incentives for Housing

Quality Development Strategy - Residential/Retail

Branding and Marketing Program

State Lobby - Revenue - Finances

Mr. Sumek advised that the Management Agenda for 2003 includes the following:

Zoning Ordinance

Upper Income Housing Strategy

Strengthening Neighborhood Associations and Action Plan

Downtown Residential (Upper Floors/Strategy/Action)

Master Plan Having Downtown Amenities/Residential Opportunities

Service Evaluation, Business Plan

Employee Attitude

Mr. Sumek requested that Council Members individually rank the top four of the above listed management items; whereupon, the following received the highest ranking:

Zoning Ordinance

Upper Income Housing Strategy

Strengthening Neighborhood Associations and Action Plan

Master Plan Having Downtown Amenities/Residential Opportunities

There was discussion with regard to streamlining the agenda, more Council briefings, strategic planning, etc.; whereupon, it was the consensus of Council that Council meetings will convene on the first Monday of each month at 9:00 a.m., for briefings, closed sessions, strategic planning, etc., and the regular meeting of Council will convene at 2:00 p.m., with the understanding that Council meetings will conclude at approximately 5:00 p.m.

Other suggestions discussed were holding a planning retreat every two to three months at a location away from the Municipal Building complex, holding a third Council meeting each month to address public hearings only; orientation for new Council Members; and pay increases for Council Members; whereupon, it was the consensus of Council that Council raises will be routinely included as a part of the fiscal year budget process.

Mr. Sumek advised that a written summary of the meeting will be provided to the City Manager.

At 8:30 p.m., the meeting was declared in recess until Monday, January 6, 2003, at 9:00 a.m., in the City Council Chamber.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**



RALPH K. SMITH
Mayor

CITY OF ROANOKE
OFFICE OF THE MAYOR

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

February 3, 2003

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

This is to request a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph K. Smith", is written over a printed name and title.

Ralph K. Smith
Mayor

RKS:sm



WILLIAM M. HACKWORTH
CITY ATTORNEY

CITY OF ROANOKE
OFFICE OF CITY ATTORNEY
464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431
FAX: 540-853-1221
EMAIL: cityatty@ci.roanoke.va.us

ELIZABETH K. DILLON
STEVEN J. TALEVI
GARY E. TEGENKAMP
DAVID L. COLLINS
HEATHER P. FERGUSON
ASSISTANT CITY ATTORNEYS

February 3, 2003

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to consult with legal counsel on a matter of pending litigation, pursuant to §2.2-3711.A.7, Code of Virginia (1950), as amended.

With kindest personal regards, I am

Sincerely yours,

A handwritten signature in black ink that reads "William M. Hackworth". The signature is written in a cursive, flowing style.

William M. Hackworth
City Attorney

WMH:f

cc: Darlene L. Burcham, City Manager
Mary F. Parker, City Clerk



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
 215 Church Avenue, S.W., Room 364
 Roanoke, Virginia 24011-1591
 Telephone: (540) 853-2333
 Fax: (540) 853-1138
 CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Encroachment into Public Right-of-Way
 Awning at 1 West Campbell Avenue
 Tax No. 1011127

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on the proposed encroachment into public right-of-way. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Tuesday, February 18, 2003. A full report will be included in the February 18, 2003, agenda material for your consideration.

Respectfully submitted,


 Darlene L. Burcham
 City Manager

DLB/SEF

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Jesse A. Hall, Director of Finance
 Sarah E. Fitton, Engineering Coordinator



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CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request for Public Hearing for
Conveyance of Public Right-of-Way to
Liberty Property Limited Partnership

Background:

Elizabeth Arden, Inc., a tenant in a 250,000 square foot facility at the Roanoke Centre for Industry and Technology (RCIT), and Liberty Property Limited Partnership (Liberty), the property owner, wishes to expand at the present site. This expansion will require a waiver from the present Restrictive Covenants at RCIT. The covenants require a 75-foot setback for both the building and the parking lot. The size and layout of the site expansion requires the setback be 41 feet for the parking lot and 35 feet for the building. However, the building setback would be in compliance if the City of Roanoke conveys 0.16 acres of public right-of-way off of Blue Hills Circle to Liberty.

Recommended Action:

Schedule a Public hearing on February 18, 2003, to consider the conveyance of the 0.16 acres of land to Liberty.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/sem

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Elizabeth A. Neu, Director of Economic Development

CITY CLERK *03 JAN 28 PM03:25

Lynn D. Avis, Chairman
Industrial Development Authority
of the City of Roanoke, Virginia
Roanoke City Department of Economic Development
Suite 200, Franklin Plaza
Roanoke, VA 24011

January 24, 2003

Mary F. Parker
City Clerk, City of Roanoke, Virginia
456 Municipal Building
215 Church Avenue, S.W.
Roanoke, VA 24011

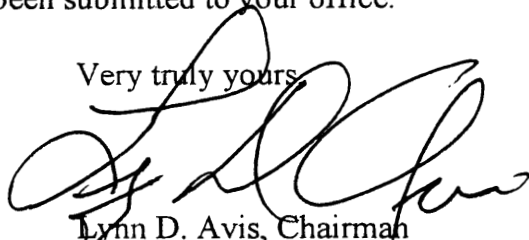
RE: Industrial Development Authority of the City of Roanoke, Virginia
Resignation of Stark Jones

Dear Mary:

We regret to inform the City Council that Stark Jones has resigned as a Director of the IDA.

We would very much appreciate the Council's considering the application of Damon Williams which I believe has been submitted to your office.

Very truly yours,



Lynn D. Avis, Chairman
Industrial Development Authority
for the City of Roanoke, Virginia

HMDJR:lwv:0042000

C: Mr. Stark Jones



**CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT**

215 Church Avenue, S.W., Room 166

Roanoke, Virginia 24011

Telephone: (540) 853-1730 Fax: (540) 853-1230

E-mail: planning@ci.roanoke.va.us

Architectural Review Board
Board of Zoning Appeals
Planning Commission

January 21, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable William D. Bestpitch, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request from Northwest Neighborhood Environmental Organization (NNEO) and Robert Crowder that nine tracts of land located on the south side of the 500 block of Loudon Avenue, N.W., identified as Official Tax Map Numbers 2013101, 2013102, 2013103, 2013104, 2013105, 2013106, 2013107, 2013108, and 2013109, be rezoned from RM-2, Residential Multifamily, Medium Density District, to RM-3, Residential Multifamily, High Density District, such rezoning to be subject to certain conditions, and that three tracts of land located on the north side of the 500 block of Centre Avenue, N.W., identified as Official Tax Map Numbers 2013117, 2013118, and 2013119, be rezoned from LM, Light Manufacturing District, to RM-3, Residential Multifamily, High Density District, such rezoning to be subject to certain conditions.

Planning Commission Action:

Public hearing was held on Thursday, December 19, 2002, and by a vote of 6-0 (Mr. Williams absent), the Planning Commission recommended approval of the request, as proffered.

Background:

A petition to rezone:

Approximately 0.812 acres, more or less, owned by the Northwest Neighborhood Environmental Organization (NNEO), and consisting of seven parcels located within the 500 blocks of Centre and Loudon Avenues, designated as Tax Map Numbers 2013101 through 2013103, Tax Map Numbers 2013105 through 2013107, and Tax Map Number 2013109 from RM-2, Residential Multifamily, Medium Density District, to RM-3, Residential Multifamily, High Density District;

Approximately 0.462 acres, more or less, consisting of four parcels located within the 500 blocks of Centre and Loudon Avenues, for which NNEO has Purchase Agreements, and designated as Tax Map Number 2013108 (zoned RM-2, Residential Multifamily, Medium Density District) and Tax Map Numbers 2013117, 2013118, and 2013119 (zoned LM, Light Manufacturing District) to RM-3, Residential Multifamily, High Density District; and

Approximately 0.113 acres, more or less, owned by Robert Crowder, and consisting of one parcel located within the 500 block of Loudon Avenue, designated as Tax Map Number 2013104, from RM-2, Residential Multifamily, Medium District, to RM-3, Residential Multifamily, High Density District.

A Petition to Rezone was filed on November 7, 2002. The Planning Commission heard the request on December 19, 2002, and recommended approval, subject to the filing of An Amended Petition, to include one proffered condition as agreed upon in the hearing. Said Amended Petition to Rezone was filed on December 31, 2002, subject to the following condition proffered by the petitioner:

1. Development along Centre Avenue shall not be set back any further than 15 (fifteen) feet from the property line as it abuts the street.

Improvements on the subject properties include a 5,360 square foot, one-story structure formerly used for automobile repair and service (Tax Map No. 2013101), a boarded up converted duplex (Tax Map No. 2013103), three boarded up single-family residential structures (Tax Map Numbers 2013102, 2013106, and 2013107), an occupied single-family residential structure (Tax Map No. 2013104) and a 1,500 square foot masonry structure formerly used for automobile repair (Tax Map No. 2013117). The other parcels in the petition are vacant.

Considerations:

The subject properties are located within the block bounded by Loudon Avenue N.W., Fifth Street, Centre Avenue N.W., and Sixth Street and are currently zoned RM-2, Residential Multifamily, Medium Density, and LM, Light Manufacturing. An

L-shaped alley that is the subject of a petition to close and vacate separates some of the subject properties.

Surrounding zoning is LM, Light Manufacturing, C-2, General Commercial, and RM-2, Residential Multifamily, Medium Density.

- The abutting property to the west on the north side of Centre Avenue is zoned LM, Light Manufacturing (Saint John Grand Lodge of Virginia), as is the property to the west of Sixth Street (Mincom, Inc.).
- The abutting properties to the east on the north side of Centre Avenue are also zoned LM, Light Manufacturing (3 parcels of vacant land, one of which is owned by NNEO).
- Properties on the south side of Centre Avenue between Fifth and Sixth Streets, across the street from the subject properties, are zoned LM, Light Manufacturing, and include the site of Quality Produce Co. warehouse and cooler facility.
- Properties on the west side of Sixth Street on both the north and south sides of Loudon Avenue are zoned RM-2, Residential Multifamily, Medium Density, as are the properties on the north side of Loudon Avenue across from the subject properties (includes four vacant parcels, two vacant single-family residential structures, and two occupied single-family residential structures).
- Abutting properties on the west side of Fifth Street are zoned C-2, General Commercial and include three vacant parcels and one vacant structure owned by NNEO and one other vacant parcel.
- The property on the east side of Fifth Street is zoned LM, Light Manufacturing, and is the site of the Coca Cola (Wometco) facility.

Northwest Neighborhood Environmental Organization plans to develop "Fifth Street Gateway" on the subject properties, providing 25 units of high density, affordable housing and a community center. NNEO proposes to develop the 25 housing units by a combination of renovation/conversion, infill, and new construction.

One of the City's goals in **Vision 2001-2020** is "a balanced, sustainable housing supply." (p. 42, NH A23) The proposed use of the property is consistent with that goal and the following housing and neighborhoods policies in **Vision 2001-2020**:

- Housing choice: The City will have a balanced, sustainable range of housing choices in all price ranges and design options that encourage social and economic diversity throughout the City. (p. 40, NH P5)
- Housing clusters: Development of housing clusters will be used to encourage and promote neighborhood revitalization, replace derelict or neglected structures, and complement the surrounding neighborhood. (p. 40, NH P6)

- Affordable housing: Affordable housing will be available in all parts of the City. (p. 41, NH P7)
- Identify and assemble vacant or underutilized land for the development of housing clusters. Consider using public or community development corporations to assemble property for housing development. (NH A27)

NNEO owns or has an executed option to purchase six of the eight adjacent C-2, General Commercial, properties fronting on the west side of Fifth Street between Loudon and Centre Avenues. The master plan for the “Fifth Street Gateway” includes a contemplated future rezoning of those properties to CN, Neighborhood Commercial, with the development of commercial uses on the first floors and residential on the second floors. This neighborhood commercial/mixed use cluster would be consistent with the village center concept outlined in **Vision 2001-2020** whereas it is located on a major thoroughfare and its neighborhood commercial uses could serve the immediately adjacent high-density residential area. (p. 97, Small Village/Neighborhood Center)

The properties that are the subject of this current rezoning petition would give definition to a higher density residential area adjacent to a potential neighborhood village center. **Vision 2001-2020** includes the following principles and policies regarding village centers:

- Village centers are characterized by a mixture of high-density uses, including neighborhood-oriented retail, office, and residential uses. Buildings are typically set close to the street and often adjoin each other; parking is located to the side or rear of principal buildings. (p. 91, Village centers)
- Higher-density residential development should be concentrated within and immediately adjacent to village centers; housing density should decrease with distance away from the village center. (p. 91, Village centers, Design principles)
- Parking should be located on the street or to the rear or side of principal buildings, and on-street parking should be encouraged. (p. 91, Village centers, Design principles)

The application of the RM-3, Residential Multifamily, High Density District, to the subject properties is appropriate and is consistent with the housing and village center concepts discussed in **Vision 2001-2020**. The proposed development on the subject properties could, in fact, help to solidify the definition of a village center in this area. The proposal’s combination of renovation, infill, and new construction is consistent with **Vision 2001-2020’s** goals of maintaining the viability of Roanoke’s neighborhoods and revitalizing underutilized land and underutilized, neglected structures.

During the Planning Commission public hearing, Mr. James Lesniak, Executive Director of NNEO, Don Harwood, project architect, and Susheela Shende, consultant, gave the presentation. Nancy Snodgrass presented the staff report. Mr. Eddie Bova, owner of Quality Produce Co. at 116 Fifth Street (directly across from the Centre Avenue subject properties), spoke at the hearing. He pointed out that he has a well-established, viable business at that location that (1) operates seven days a week and includes night hours, (2) includes noisy truck traffic, and (3) includes employee parking on the street.

Mr. Rife's discussion with the petitioner focused on the concept plan:

- The plan appears to be more suburban in character rather than urban;
- The plan should show buildings pulled up closer to the street, particularly along Centre Avenue; and
- Parking areas should be located to the rear of buildings and not between buildings and the street.

Mr. Harwood responded that the presentation was only a concept plan and not a proffered site plan. Mr. Hill stated that this area was in great need of revitalization and development, and the requested rezoning to permit NNEO's project would be beneficial to the community.

Concerns over buildings being set back from Centre Avenue, with parking between the buildings and the street, resulted in discussion of, and agreement to, a proffered condition limiting the distance that buildings along Centre Avenue could be set back from the street.

Recommendation:

Planning Commission recommended approval of the request, as amended. Given the adjacent land uses and zoning patterns and the underutilization of these properties, RM-3, Residential Multifamily, High Density District, is an appropriate application.

Respectfully submitted,



Robert B. Manetta, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Donald C. Harwood, Project Manager

PETITION TO REZONE

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

Rezoning of nine tracts of land located on the south side of the 500 block of Loudon Avenue, N.W., identified as Official Tax Map Numbers 2013101, 2013102, 2013103, 2013104, 2013105, 2013106, 2013107, 2013108, and 2013109, from RM-2, Residential Multifamily, Medium Density District to RM-3, Residential Multifamily, High Density District, such rezoning to be subject to certain conditions, and rezoning of three tracts of land located on the north side of the 500 block of Centre Avenue, N.W., identified as Official Tax Map Numbers 2013117, 2013118, and 2013119, from LM, Light Manufacturing District to RM-3, Residential Multifamily, High Density District, such rezoning to be subject to certain conditions.

AMENDED PETITION

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF ROANOKE:

The Petitioner, Northwest Neighborhood Environmental Organization, owns land in the City of Roanoke containing .812 acres, more or less, located within the 500 blocks of Centre and Loudon Avenues, designated as Tax Map Numbers 2013101 through 2013103, Tax Map Numbers 2013105 through 2013107, and Tax Map Number 2013109. The Petitioner, Northwest Neighborhood Environmental Organization, has Purchase Agreements on land in the City of Roanoke containing .462 acres, more or less, located within the 500 blocks of Centre and Loudon Avenues, designated as Tax Map number 2013108 and Tax Map numbers 2013117, 2013118, and 2013119. The Petitioner, Robert Crowder, owns land in the City of Roanoke containing .113 acres, more or less, located within the 500 block of Loudon Avenue, identified as Tax Map Number 2013104. Tax Map Numbers 2013101 through 2013109 are currently zoned RM-2, Residential Multifamily, Medium Density District. Tax Map Numbers 2013117 through 2013119 are currently zoned LM, Light Manufacturing District. A map of the properties to be rezoned showing their current zoning is attached as Exhibit A.

Pursuant to section 36.1-690, Code of the City of Roanoke (1979), as amended, the Petitioners request that the said properties be rezoned from RM-2, Residential Multifamily, Medium Density District and LM, Light Manufacturing District, to RM-3, Residential Multifamily High Density District, conditional, for the purpose of providing 25 units of high density, affordable housing involving a combination of renovation, infill, and new construction, and associated off-street parking.

The Petitioners believe the rezoning of the said tracts of land will further the intent and purposes of the City's Zoning Ordinance and its comprehensive plan, in that it will provide an additional 25 housing opportunities to the neighborhood, and provide a strong mix of renovated residential structures with infill and new construction.

The Petitioners agree that, if the property is rezoned, the property will be subject to the following condition:

1. Development along Centre Avenue shall not be set back any further than 15 (fifteen) feet from the property line as it abuts the street.

A map of the proposed rezoning is attached as Exhibit B.

A Conceptual Comprehensive Development Plan is attached as Exhibit C.

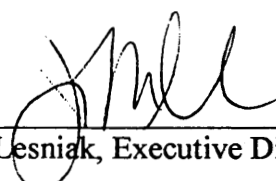
Attached a Exhibit D are the names, addresses and tax numbers of the owner or owners of all lots or property immediately adjacent to and immediately across a street or road from the property to be rezoned.

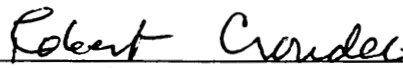
WHEREFORE, the Petitioner requests that the above-described tract be rezoned as requested in accordance with the provisions of the Zoning Ordinance of the City of Roanoke.

Respectfully submitted this thirty first day of December, 2002.

Respectfully submitted,

By:


James Lesniak, Executive Director, NNEO (Owner)

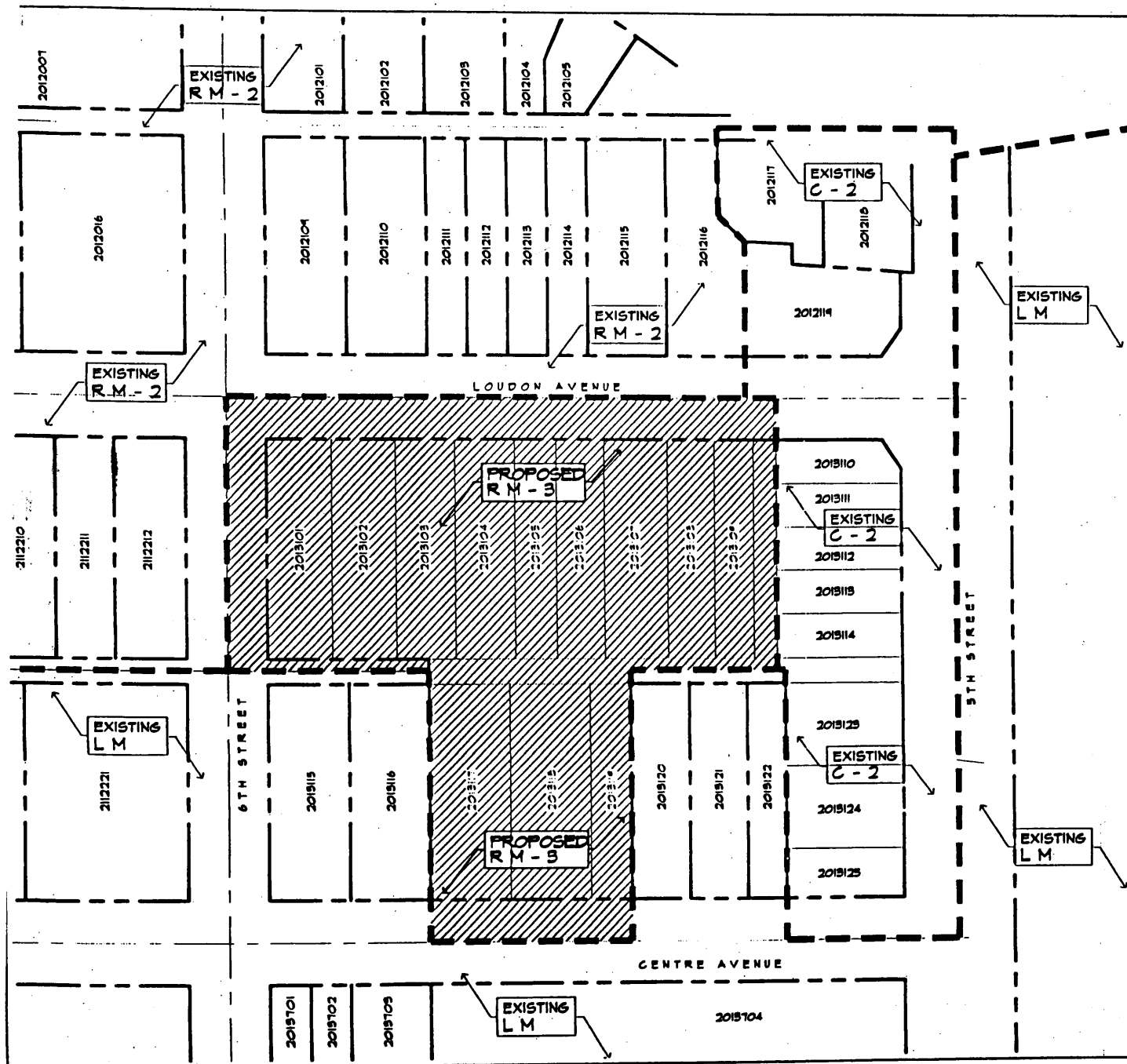

Robert Crowder, Owner

James Lesniak, Executive Director
Northwest Neighborhood Environmental Organization
802 Loudon Avenue, NW
Roanoke, VA 24016
Telephone: (540) 343-5674

Robert Crowder
522 Loudon Avenue, NW
Roanoke, VA 24016
Telephone: (540) ~~985~~-0778

Donald C. Harwood, Project Manager
Hill Studio, P.C.
120 West Campbell Avenue
Roanoke, VA 24011
Telephone (540) 342-5263

HSPC Project #: 0152



NORTHWEST NEIGHBORHOOD
ENVIRONMENTAL
ORGANIZATION (NNEO)

5th STREET GATEWAY

PROPOSED ZONING
1" = 60' NOVEMBER 7, 2002

EXHIBIT B

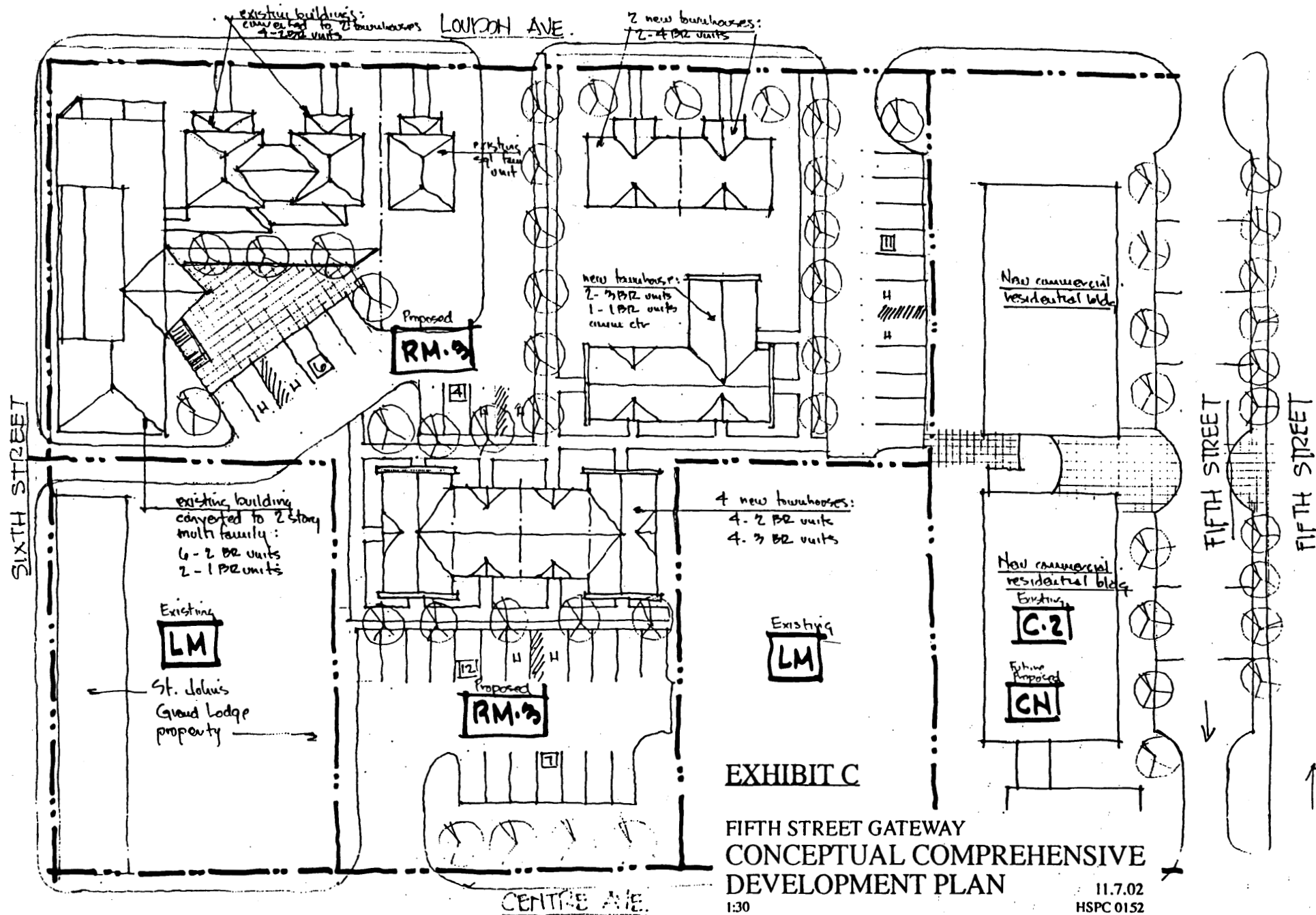


EXHIBIT C

FIFTH STREET GATEWAY

CONCEPTUAL COMPREHENSIVE

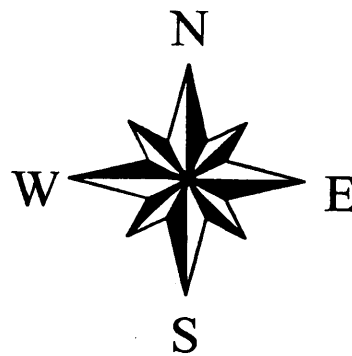
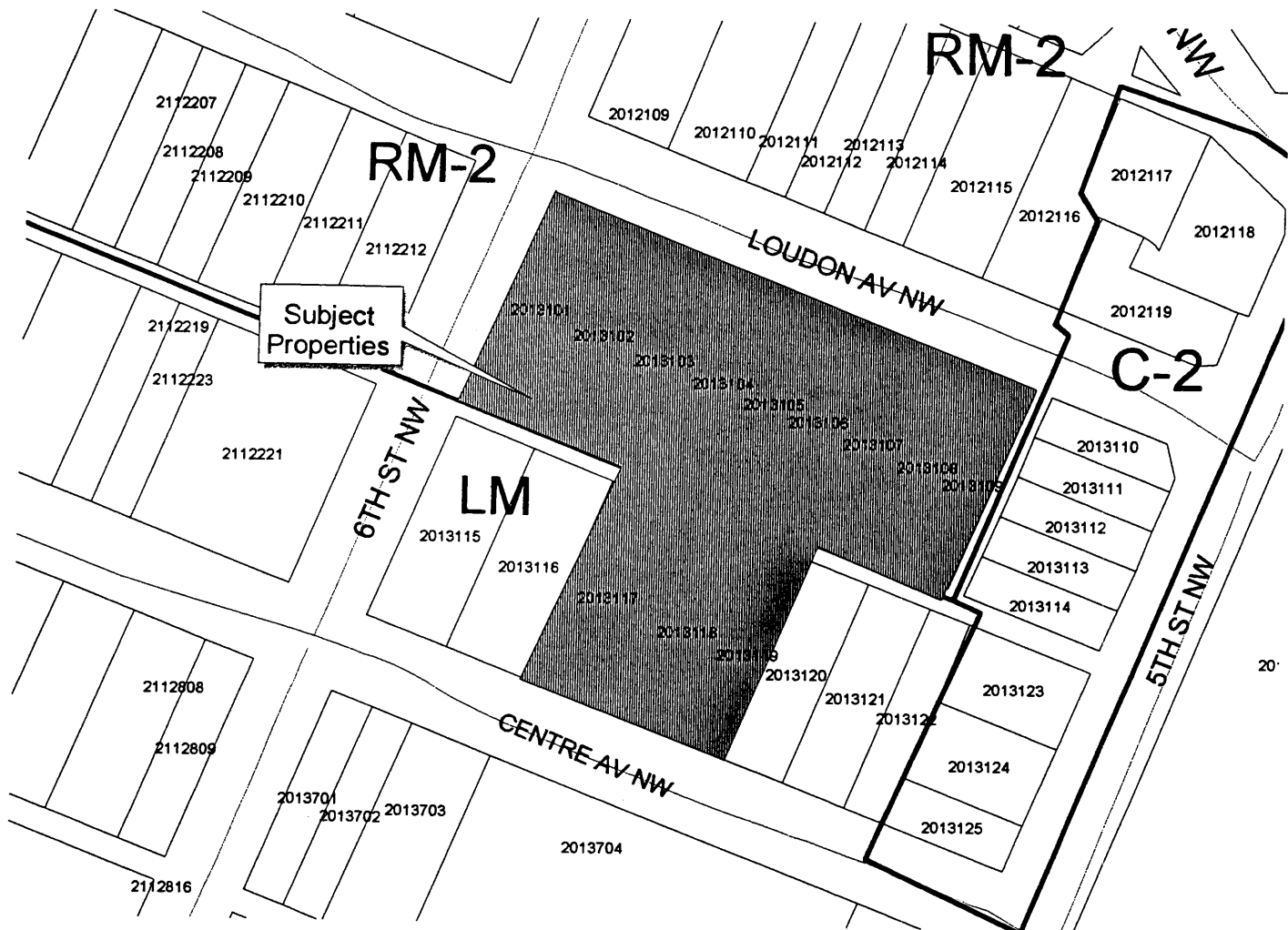
DEVELOPMENT PLAN

Adjacent Property Owners for Fifth Street Gateway Development

EXHIBIT D

Tax ID	Address/Location	Property Type	Owner	Owner Address
2013704	116 Fifth Street, NW	Comm/Ind	Carl E. & Mary Jane Bova	P O Box 4462, Roanoke, VA 24015
2013703	500 Block of Centre Avenue, NW	Vacant Land	Nestle Brooke LLC	P O Box 2544, Roanoke, VA 24010
2013702	500 Block of Centre Avenue, NW	Vacant Land	Natalie Foster Roberts c/o Andrew Roberts	711 Fifth ST SW, Roanoke, VA 24016
2013701	500 Block of Centre Avenue, NW	Vacant Land	Natalie Foster Roberts c/o Andrew Roberts	711 Fifth ST SW, Roanoke, VA 24016
2013115	531 Centre Avenue	Comm/Ind	St. John Grand Lodge	531 Centre Ave., NW, Roanoke, VA 24016
2013116	500 Block of Centre Avenue, NW	Vacant Land	St. John Grand Lodge	531 Centre Ave., NW, Roanoke, VA 24016
2013120	500 Block of Centre Avenue, NW	Vacant Land	Commonwealth of VA & Edward Keeling	7092 Starlight Lane, SW, Roanoke, VA 24018
2013121	500 Block of Centre Avenue, NW	Vacant Land	Edward Keeling	7092 Starlight Lane, SW, Roanoke, VA 24018
2013122	500 Block of Centre Avenue, NW	Vacant Land	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2013123	200 Block of Fifth Street, NW	Vacant Land	Clarence Wallace	1602 Gilmer Ave., NW, Roanoke, VA 24016
2013124	200 Block of Fifth Street, NW	Vacant Land	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2013125	202 Fifth Street, NW	Vacant Structure	Xavier Fox (NNEO has an executed option)	P O Box 6597, Roanoke, VA 24017
2013110	200 Block of Fifth Street, NW	Vacant Land	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2013111	200 Block of Fifth Street, NW	Vacant Land	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2013112	200 Block of Fifth Street, NW	Vacant Land	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2013113	200 Block of Fifth Street, NW	Vacant Land	Delinda Ann Powell & Harold Lynwood	1726 Patterson Ave., Roanoke, VA 24016
2013114	212 Fifth	Vacant Structure	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2012109	500 Block of Loudon Avenue, NW	Vacant Land	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2012110	525 Loudon Avenue, NW	Vacant Structure	NNEO	802 Loudon Ave., NW, Roanoke, VA 24016
2012111	523 Loudon Avenue, NW	Occupied Structure	Charles & Hazel Williamson	212 Eugene Dr., NW, Roanoke, VA 24017
2012112	500 Block of Loudon Avenue, NW	Vacant Land	Laura Mae White	521 Loudon Ave., NW, Roanoke, VA 24016
2012113	517 Loudon Avenue, NW	Occupied Structure	Edward & Hazel Dungee	517 Loudon Ave., NW, Roanoke, VA 24016
2012114	515 Loudon Avenue, NW	Vacant Structure	Arthur Gravely	236 Union Street, Salem, VA 24153
2012115	500 Block of Loudon Avenue, NW	Vacant Lot	St. Paul United Methodist	502 Gilmer Ave., NW, Roanoke, VA 24016
2012116	500 Block of Loudon Avenue, NW	Vacant Lot	St. Paul United Methodist	502 Gilmer Ave., NW, Roanoke, VA 24016
2012119	500 Block of Loudon Avenue, NW	Vacant Lot	Common of VA	215 Church Ave., NW, Roanoke, VA 24016
2112212	600 Block Loudon Avenue, NW	Vacant Lot	Lillian Rodgers	P O Box 641773, Omaha, NE 68114

Rezoning: Loudon & Centre Ave, NW



4

GENTRY LOCKE
RAKES & MOORE

Attorneys at Law

540-983-9300

Facsimile 540-983-9400

A Limited Liability Partnership

10 Franklin Road, S.E.

Post Office Box 40013

Roanoke, Virginia 24022-0013

www.gentrylocke.com

January 21, 2003

Direct Dial: (540) 983-9312

mike_pace@gentrylocke.com

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Ms. Darlene L. Burcham
City Manager
Roanoke, Virginia

Mr. Brian Townsend
Director of Planning
Roanoke, Virginia

Re: Quality Produce

Dear Ladies and Gentlemen:

We represent Quality Produce Co., a corporate citizen since 1929, that has operated its warehousing business at 116 5th Street, N. W., for the past twelve years. Quality Produce desires to continue to conduct its business at this location, but is concerned that a rezoning on the January 21, 2003, agenda of City Council will seriously impair its ability to carry on its operations as it has over a long period of time.

Facts

Quality Produce is located in an LM, light manufacturing district, in the City of Roanoke. Quality Produce's warehouse operation commences daily at 4:30 a.m. and continues until 9:30 p.m. Beginning at 4:30 a.m., tractor trailers queue up in the street to the side of Quality Produce on Centre Avenue, waiting for their turn to unload their cargo. Again, in the evening, from approximately 6:00 p.m. to 9:00 p.m., trucks will queue up in the street in front of Quality Produce waiting in turn to load up with cargo to be transported to Quality Produce's customers.

Immediately across the street from Quality Produce, there is a proposal to construct 25 units of housing. An application to rezone the property across the street from RM-2, residential multi-

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The Honorable Mayor and Members of City Council
Ms. Darlene L. Burcham
Mr. Brian Townsend
January 21, 2003
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family district, medium density district, to RM-3, residential multi-family district, high density district, is pending before City Council.

Quality Produce is concerned that tenants of the multi-family housing project will complain to municipal authorities concerning the truck noise generated by the Quality Produce warehouse operation. Residents might also complain about the lining up of the trucks in the public street in front of Quality Produce. There is concern that the City might react with noise control measures or traffic control measures that would severely limit the way in which Quality Produce uses its property.

Quality Produce has expansion plans that could be negatively impacted by concerns that the City might interfere with its operations. The Company, which employs a number of residents of the neighborhood and pays \$8.50 to \$12 an hour, is considering additional refrigeration of its warehouse at a cost of \$350,000.

The LM District

The LM District is intended primarily for light manufacturing, processing, storage, wholesaling and distribution, and also general service establishments. See § 36.1-248, City Code. Among the permitted uses in LM are general storage and warehousing establishments and tractor trailer depots. See § 36.1-249(16) and (21). Quality Produce's operation is precisely the type of land use that is envisioned in the LM district. Tractor trailer traffic, and the noise and fumes that are necessarily attendant to such traffic, are reasonably expected in LM districts. Quality Produce is concerned, however, that complaints from new residents of the proposed multi-family housing project might induce the City officials to attempt enforcement actions that could violate the rights of Quality Produce.

Zoning Performance Standards

The City Code establishes minimum performance standards for all zoning districts with respect to noise, vibration, steam, heat, glare, and electromagnetic interference. See § 36.1-415. Importantly, noise produced by the operation of motor vehicles or other transportation facilities shall not be included in determining the maximum permitted decibel levels when determining permissible noise. See § 36.1-415(c)(1). Quality Produce, therefore, is not in breach of the City's zoning performance standards as to noise. Any amendment of the performance standards to address the noise created by idling trucks would apply to business establishments in LM and

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The Honorable Mayor and Members of City Council
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Page 3

other commercial and industrial districts throughout the City. Thus, any such amendment would have a serious negative effect on commerce throughout the City.

The City's Noise Control Ordinance

In 1991, the City adopted a noise control ordinance that imposes a Class 2 misdemeanor penalty for creating a "noise disturbance". A "noise disturbance" is defined as any sound which by its character, intensity and duration (1) "endangers or injures the health or safety of persons" or (2) "annoys or disturbs reasonable persons of normal sensitivities". See § 21.205.

It is doubtful that credible expert testimony could be produced that the mere idling of truck engines produces noise that endangers or injures the health or safety of persons. Applying the reasonable person standard, it would appear that such noise would also not annoy or disturb reasonable persons of normal sensitivities.

It is unlikely that the City could tailor its noise control ordinance to specifically address noise emanating from trucks delivering or picking up cargo at Quality Produce because any such amendment would necessarily apply to trucks operating throughout the City.

Traffic Regulation

There is no question as to the authority of the City to regulate traffic, including the stopping or standing of vehicles in travel lanes, and it is already prohibited for any vehicle to stop in a travel lane. See § 20-66. The City's ordinance, however, has never been enforced to deter commerce in the City. Reasonable use of the streets to make deliveries and pick-ups of cargo has always been permitted in the City of Roanoke and in urban areas throughout the country.

Should the City seek to enforce § 20-66 or a similar traffic regulation against trucks making deliveries or pick-ups at Quality Produce, such effort would seem to be counter-productive from the standpoint of persons occupying adjoining residential property. There is no reason why trucks making deliveries or pick-ups from Quality Produce could not simply slowly circle the block until they are able to enter the Quality Produce property. Trucks slowly moving around and around the block would seem to produce more noise and congestion, and would appear to be more detrimental to the residential quality of life than allowing the trucks to line up at the entrance to Quality Produce.

The Honorable Mayor and Members of City Council
Ms. Darlene L. Burcham
Mr. Brian Townsend
January 21, 2003
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The Proposed Rezoning

The proposed rezoning of property adjacent to Quality Produce to RM-3 to permit a 25-unit residential development appears to be an example of questionable planning because it sets up an inevitable conflict between new tenants and an adjoining industrial property owner which is carrying out operations that are clearly permitted within an LM district. Indeed, § 36.1-144, which establishes the legislative intent with respect to the RM-3 and RM-4 districts, states that these two districts are intended to provide for high population densities "in areas of the City where such development is in keeping with the surrounding neighborhood." Clearly, the proposed high density residential development is not compatible with the surrounding neighborhood.

Quality Produce's Request

Quality Produce does not seek the defeat of the proposed zoning. Quality Produce's sole interest is that it continue to have the right to conduct its lawful operations on its LM zoned property as it has over many years. To this end, Quality Produce proposes:

1. That the rezoning be conditioned upon additional soundproofing of residential units and the provision of an appropriate buffer consisting of trees and/or a sound barrier between the residential units and the LM property of Quality Produce;
2. That the rezoning applicant recognize Quality Produce's warehousing operation will cause noise and traffic congestion that may result in complaints from new residents of the proposed multi-family housing project and that Quality Produce should not be expected to alter its operations to address such complaints; and
3. That appropriate officials of the City provide written assurances to Quality Produce that the requested rezoning will not result in demands from City officials that Quality Produce alter its operations as currently conducted.

GENTRY LOCKE
RAKES & MOORE

The Honorable Mayor and Members of City Council
Ms. Darlene L. Burcham
Mr. Brian Townsend
January 21, 2003
Page 5

Quality Produce has made a considerable investment in its LM property and desires to make additional investments to modernize its operation. We are, therefore, hopeful that City Council will act to address the concerns of Quality Produce that create a disincentive to further investment in this property.

We look forward to addressing any questions you may have as to the matters addressed by this letter.

Very truly yours,

GENTRY LOCKE RAKES & MOORE



G. Michael Pace, Jr.

GMP/bd

c: Elizabeth Neu, Economic Development Office

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 201, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance by title.

WHEREAS, Northwest Neighborhood Environmental Organization and Robert Crowder, have made application to the Council of the City of Roanoke to have the hereinafter described property rezoned as follows:

(1) That tract of land lying on the south side of the 500 block of Loudon Avenue, N.W., identified as Official Tax Nos. 2013101 through 2013109, inclusive, from RM-2, Residential Multi-family District, Medium Density District, to RM-3, Residential Multi-family, High Density District; and

(2) That tract of land lying on the north side of the 500 block of Centre Avenue, N.W., identified as Official Tax Nos. 2013117, 2013118 and 2013119, from LM, Light Manufacturing District, to RM-3, Residential Multi-family, High Density District.

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held by City Council on said application at its meeting on February 3, 2003, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 201 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular and no other:

That tract of land on the south side of the 500 block of Loudon Avenue, N.W., identified as Official Tax Nos. 2013101 through 2013109, inclusive, and designated on Sheet No. 201 of the Sectional 1976 Zone Map, City of Roanoke, be, and is hereby rezoned from RM-2, Residential Multi-Family, Medium Density District, to RM-3, Residential Multi-family, High Density District, subject to the Amended Petition filed in the Office of the City Clerk on December 31, 2002, and that Sheet No. 201 of the Zone Map be changed in this respect; and

2. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 201 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular and no other:

That tract of land lying on the north side of the 500 block of Centre Avenue, N.W., identified as Official Tax Nos. 2013117, 2013118 and 2013119, and designated on Sheet No. 201 of the Sectional 1976 Zone Map, City of Roanoke, be, and is hereby rezoned from LM, Light Manufacturing District, to RM-3, Residential Multi-family, High Density District, subject to the Amended Petition filed in the Office of the City Clerk on December 31, 2002, and that Sheet No. 201 of the Zone Map be changed in this respect.

3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166

Roanoke, Virginia 24011

Telephone: (540) 853-1730 Fax: (540) 853-1230

E-mail: planning@ci.roanoke.va.us

January 21, 2003

Architectural Review Board
 Board of Zoning Appeals
 Planning Commission

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable William D. Bestpitch, Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request from Northwest Neighborhood Environmental Organization that an alley running from 5th to 6th Street, N.W., between Loudon and Centre Avenues, N.W., as well as an alley extending in a southerly direction from Loudon Avenue, N.W., to the aforesaid alley, lying between Official Tax Nos. 2013109 through 2013114, inclusive, be permanently vacated, discontinued and closed.

Planning Commission Action:

Public hearing was held on Thursday, December 19, 2002, and by a vote of 6-0 (Mr. Williams absent), the Planning Commission recommended approval of the request.

Background:

The petitioner, Northwest Neighborhood Environmental Organization (NNEO), has filed a rezoning petition for Official Tax Map Numbers 2013101, 2013102, 2013103, 2013104, 2013105, 2013106, 2013107, 2013108, and 2013109, concurrently with this petition. Combined, these two petitions request what is needed for the petitioner to develop all but five parcels of a Northwest City block bounded by 5th Street to the east, 6th Street to the west, Loudon Avenue to the north, and Centre Avenue to the south.

The portion of the subject alley that runs east to west is open to traffic, but is not

paved. The other portion of the alley that runs north to south and connects to Loudon Avenue is not open to traffic.

Considerations:

The parcels to the north of the subject alley are zoned RM-2, Residential Multi-family Medium Density District. To the south the zoning is LM, Light Manufacturing. The subject alley is the zoning line between these two districts. To the east the zoning is C-2, General Commercial District, on the western side of 5th Street and LM on the eastern side. The petitioner's rezoning petition requests that the aforementioned parcels be rezoned to RM-3, Residential Multifamily, High Density District.

To the north and west of the subject alley is a single-family residential neighborhood. To the south are several vacant parcels and some small industrial uses. East of the subject alley on 5th Street is a stretch of commercially-zoned properties that are either vacant or contain vacant buildings.

The area is served by public utilities. Staff received comments from American Electric Power (AEP), Verizon and Roanoke Gas, all of whom stated no objection to the request. Verizon stated that it would need to maintain a public utility easement.

The City Engineer advised that a sanitary sewer line runs under the subject alley, and the petitioner will be responsible for providing easements or relocating the line if necessary.

The requested closure will not have a discernible impact on traffic in the area. Staff did not receive any comments opposing this request.

Vision 2001-2020 contains several references to the function of alleys in the City. The Transportation element of the plan states:

"Access to parking by alleys can be an alternative to reduce the impact of cars entering and exiting lots on neighborhood streets (p.66)."

The City Design chapter of the plan states:

"Where possible, alleys should be created to serve rear access garages and parking areas (p.100)."

In addition, the City Design chapter states that alleys are one of the attributes of downtown neighborhoods, and that relocation of utilities to alleys should be examined in the future.

While the petitioner's request does not adhere to the design principles regarding alleys stated in Vision 2001-2020, the petitioner's rezoning request and proposed use of the subject alley are consistent with several policies and actions stated in the plan,

namely NH P5, NH P6, NH P7, and NH A27, as outlined in the concurrent rezoning request. Approval of the petitioner's request will allow the development of underutilized land in one of the City's Rehabilitation Districts.

During the Planning Commission public hearing, Mr. James Lesniak, Executive Director of NNEO, and Don Harwood, project architect, presented the request on behalf of NNEO. Frederick Gusler gave the staff report.

Recommendation:

The Planning Commission recommended approval of the petitioner's request to vacate, discontinue and close the subject alley, subject to the conditions listed below and does not recommend that the petitioner be charged for this piece of property. No public inconvenience would result by the vacation of the right-of-way. The petitioner is a non-profit organization and their use of the property will assist them in obtaining federal tax credits.

- A. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Said plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.
- B. Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.
- C. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.
- D. If the above conditions have not been met within a period of one year from the date of adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

Respectfully submitted,

A handwritten signature in black ink, reading "Robert B. Manetta". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Robert B. Manetta, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Petitioner

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

Application of Northwest Neighborhood
Environmental Organization (NNEO)
for vacation alley

)
) APPLICATION FOR VACATING,
) DISCONTINUING AND
) CLOSING OF ALLEY
)

MEMBERS OF COUNCIL:

✓ Organization (NNEO)

Northwest Neighborhood Environmental (NNEO), petitioner, applies to have all of the alley from 6th Street, NW to 5th Street, NW in the block lying between Loudon Avenue, NW and Centre Avenue, NW, in the City of Roanoke, Virginia, permanently vacated, discontinued and closed, pursuant to Virginia Code Section 15.2-2006 and Section 30-14, Code of the City of Roanoke (1979), as amended. This alley is more particularly described on the map attached and as follows:

Beginning at the east side of 6th Street, NW between lots bearing Official Tax Map Numbers 2013101 and 2013115 and extending east to its intersection with 5th Street, NW between lots bearing Official Tax Map Numbers 2013114 and 2013123.

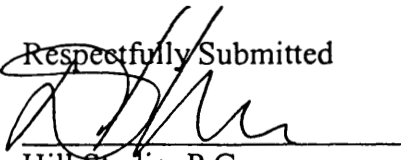
Extending North from the alley described in the preceding paragraph, on the West extending along the east border of lot bearing Official Tax Map Number 2013109 and on the East extending along the West border of lots bearing Official Tax Map Numbers 2013114 through 2013110. extending north to its intersection with Loudon Avenue.

NNEO states that the grounds for this application are as follows:

- (1) The applicant desires to use the property to be vacated for development of a low-to-middle income housing development.
- (2) The applicant's development will take away the functions of the alley, using the vacated area for green space and pedestrian walkways.
- (3) The alley's functions (water, sanitary sewer, and trash pickup) will be relocated and served within the applicant's development.
- (4) The applicant's development cannot function as designed with the alley in service.

WHEREFORE, NNEO respectfully requests that above-described alley be vacated by the Council of the City of Roanoke, Virginia, in accordance with Virginia Code Section 15.2-2006 and Section 30-14, Code of the City of Roanoke (1979), as amended.

Respectfully Submitted


Hill Studio, P.C.
Agent for NNEO

11/7/02
Date

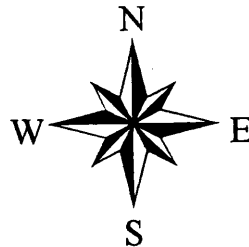
NNEO
802 Loudon Avenue, NW
Roanoke, VA 24016
Phone Number: 540-343-5674

Property Owners Adjacent to Alleys

Tax Map ID	Address/Location	Property Type	Owner	Owner Address
2013101	532 Loudon Ave. NW	Vacant Commercial	NNEO	802 Loudon Ave. NW 24016
2013102	528 Loudon Ave. NW	Vacant Multi-family	NNEO	802 Loudon Ave. NW 24016
2013103	526 Loudon Ave. NW	Vacant Multi-family	NNEO	802 Loudon Ave. NW 24016
2013104	522 Loudon Ave. NW	Occup. Single family	Robert & Joy Crowder	522 Loudon Ave. NW 24016
2013105	500 Loudon Ave. NW	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013106	516 Loudon Ave. NW	Vacant Single-family	NNEO	802 Loudon Ave. NW 24016
2013107	514 Loudon Ave. NW	Vacant Single-family	NNEO	802 Loudon Ave. NW 24016
2013108	500 Block Loudon Ave.	Vacant Single-family	NNEO	802 Loudon Ave. NW 24016
2013109	500 Block Loudon Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013114	212 Fifth St.	Vacant Single-family	Ronald Buckner	PO Box 6597 Rke. VA 24017
2013115	531 Centre Ave.	Lodge Hall	St. John's Grand Lodge	531 Centre Ave. NW 24016
2013116	500 Block Centre Ave.	Vacant Lot	St. John's Grand Lodge	531 Centre Ave. NW 24016
2013117	519 Centre Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013118	515 Centre Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013119	500 Block Centre Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013120	500 Block Centre Ave.	Vacant Lot	C'wealth of VA & Ed Keeling	7092 Starlight Ln. Rke 24018
2013121	500 Block Centre Ave.	Vacant Lot	Edward Keeling	7092 Starlight Ln. Rke 24018
2013122	500 Block Centre Ave.	Vacant lot	NNEO	802 Loudon Ave. NW 24016
2013123	Fifth St. NW	Vacant lot	Clarence Wallace	1602 Gilmer Ave. Rke 24017

2013109	500 Block Loudon Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013110	500 Block Loudon Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013111	500 Block Loudon Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013112	500 Block Loudon Ave.	Vacant Lot	NNEO	802 Loudon Ave. NW 24016
2013113	Fifth Street NW	Vacant Lot	Eric Evans & C. Powell	3913 Plantation Rd. Rke 24012
2013114	212 Fifth St.	Vacant Single-family	Ronald Buckner	PO Box 6597 Rke. VA 24017

Alley Closure, 5th & 6th St, NW



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

WHEREAS, Northwest Neighborhood Environmental Organization (NNEO) filed an application dated November 7, 2002, to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public rights-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on February 3, 2003, after due and timely notice thereof as required by §30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public rights-of-way have been properly notified; and

WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public rights-of-way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public rights-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

All of the alley from 6th Street, N.W. to 5th Street, N.W., in the block lying between Loudon Avenue, N.W., and Centre Avenue, N.W., beginning at the east side of 6th Street, N.W., between lots bearing Official Tax Nos. 2013101 and 2013115, and extending east to its intersection with 5th Street, N.W., between lots bearing Official Tax Map Numbers 2013114 and 2013123, extending north, and on the west extending along the east border of lot bearing Official Tax Map Number 2013109 and on the east extending along the west border of lots bearing Official Tax Map Numbers 2013114 through 2013110, extending north to its intersection with Loudon Avenue

be, and are hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the rights-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public rights-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any

landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public rights-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

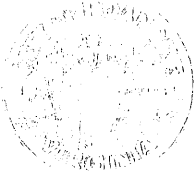
BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia, where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FURTHER ORDAINED that if the above conditions have not been met within a period of one (1) year from the date of the adoption of this ordinance, then said ordinance be null and void with no further action by City Council being necessary.

BE IT FINALLY ORDAINED that pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



**CITY OF ROANOKE
OFFICE OF THE CITY MANAGER**

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

February 3, 2003

The Honorable Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Roanoke Valley Economic Development Partnership in which they will present their annual report of activities at the regular meeting of City Council on Monday, February 3, 2003.

Respectfully submitted,

A handwritten signature in black ink, reading "Darlene L. Burcham". The signature is fluid and cursive, with the first name "Darlene" being more prominent.

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk



January 24, 2003

TO: Stephanie Moon
Fax 853-1145

FR: Faye Richardson

RE: Annual Partnership report to Roanoke City Council

This is to request time on the February 3rd, 2:00 p.m. Roanoke city council's agenda to present a brief annual report of activities of the Roanoke Valley Economic Development Partnership.

Please call 343-1550 to confirm date and time.

Thank you,
Faye Richardson





RALPH K. SMITH
Mayor

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
William D. Bestpitch
William H. Carder
M. Rupert Cutler
Alfred T. Dowe, Jr.
C. Nelson Harris
Linda F. Wyatt

February 3, 2003

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

We jointly sponsor a request of The Angels of Assisi to address Council with regard to an amendment to permitted exemptions in the C-3, Central Business District, at the regular meeting of City Council on Monday, February 3, 2003, at 2:00 p.m.

Sincerely,

A handwritten signature in black ink, reading "William D. Bestpitch".

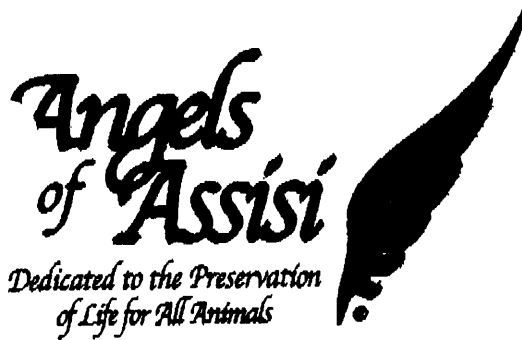
William D. Bestpitch
Council Member

A handwritten signature in black ink, reading "Bill Carder".

William H. Carder
Council Member

WDB:WHC:sm

pc: Darlene L. Burcham, City Manager



To The Honorable Mayor of The City of Roanoke
And the Honorable Members of City Council

January 30, 2003

Dear Mayor & Members:

I would like to appear before the Mayor and Council to present a petition on behalf of The Angels of Assisi requesting a change in the exemptions permissible for the current C3 zoning. The Angels of Assisi is a charity whose purpose is to provide low income pet owners with affordable veterinary services. Since its inception in August 2001 The Angels of Assisi surgical unit has performed in Roanoke and in the Roanoke Valley over 9000 spays or neuters for low income owners of pets and for local humane shelters.

In August 2002 The Angels of Assisi opened a small full-service clinic providing outpatient medical services and surgeries to low income citizens of Roanoke and the Roanoke Valley. Although restricted in space and opened initially only three (3) days a week, this clinic has provided service to over 1100 patients through January 2003.

The Angels of Assisi would like to expand its charitable services to the Roanoke community by acquiring a larger clinic facility. We have located and placed on contract the building located at 415 Campbell Ave. (the former Plasma Clinic). Unfortunately, this location is zoned C3 for which there does not exist an exemption for veterinary hospitals or clinics for the Board of Zoning Appeals to consider. If we are able to purchase and improve this property (which has been vacant for over two (2) years), we feel we can better serve the needs of Roanoke citizens and at the same time enhance a portion of our "downtown" which has been filled largely with vacant building and warehouses. This location is also near the City Police Department which would allow us to provide free service to the city's canine "officers" in the K-9 corp.

Assisi Animal Clinics of Virginia, Inc.
A Non-Profit Organization

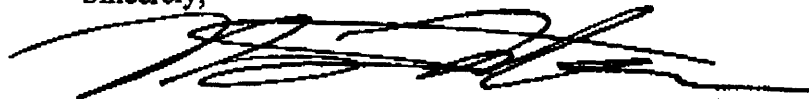
1-888-661-1113

P.O. Box 6129 - Roanoke, Virginia 24017-0129



Without Council acting to add this exemption possibility for the BZA to consider this expanded clinic will not happen in the city. Please keep in mind we will not be housing animals outside and we have plans to significantly improve the entire look of this now vacant building and back parking lot. Please also consider The Angels of Assisi is a charity operating in the City of Roanoke without receiving a single penny of state, local or federal money. Its entire funding is derived from the donations of two Roanoke-based businesses. We seek only the Council's support to implement a change in the C3 zoning code to allow for an exemption to be considered by the BZA. We feel our presence at this location will enhance the neighborhood and will also provide desperately needed services for those furry friends who can not speak for themselves but who bring such joy and comfort to the lives of us all.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norman D. Mason', with a long horizontal flourish extending to the right.

Norman D. Mason, President
Board of Directors, The Angels of Assisi
Roanoke, VA

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable Dr. M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Citizen Survey Results

Please reserve space on Council's regular agenda for a 15-minute briefing on the above referenced subject.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/sms

c: City Attorney
Director of Finance
City Clerk



CITY OF ROANOKE

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February 3, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Transfer of Bond Funds to
Capital Funds

Capital Projects of all types have been approved by City Council in the Capital Improvement Program.

Bond funds from the 1999 Bond issue need to be transferred to capital project accounts along with a portion of the 2002 Bond issue for implementation of construction projects.

The following transfers are recommended:

\$391,355 from Public Improvement Bonds Series 1999 – Storm Drains, Account No. 008-052-9709-9176, to the following new accounts to be established by the Director of Finance;

\$ 73,355	Peters Creek Flood Mitigation Phase 4
114,000	Trout Run Culvert Repairs
204,000	Barnhart Street Drainage Improvements

\$9,169 from Public Improvement Bonds Series 1999 – Buildings, Account No. 008-052-9709-9183, to Account No. 008-530-9776, Public Works Service Center Upgrade Phase I.

\$809,080 from Public Improvement Bond Series 1999 – Bridges, Account No. 008-052-9709-9190, to the following accounts;

\$ 750,000	First Street Pedestrian Bridge, Account No. 008-052-9574
\$ 59,080	Walnut Avenue Bridge over Railroad, Account No. 008-530-9511

\$698,613 from Public Improvement Bonds Series 1999 – Streets, Account No. 008-052-9709-9191, to the following new accounts to be established by the Director of Finance;

\$ 143,859	Williamson Road Improvements
\$ 127,414	Traffic Signals
\$ 410,000	VDOT Highway Projects
\$ 17,340	Roadway Safety Improvement Project, Account No. 008-052-9606

\$3,391,630 from Public Improvement Bonds Series 2002 – Curb & Gutter, Account No. 008-530-9711-9195, to the following new accounts;

\$ 891,630	Curb, Gutter and Sidewalk #1
\$ 500,000	Curb, Gutter and Sidewalk #2
\$ 500,000	Curb, Gutter and Sidewalk #3
\$ 500,000	Curb, Gutter and Sidewalk #4
\$ 500,000	Curb, Gutter and Sidewalk #5
\$ 500,000	Curb, Gutter and Sidewalk #6

Recommended Action:

Adopt the attached budget ordinance to transfer funding to existing project accounts and/or new accounts to be established by the Director of Finance.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:JGB:na

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Philip C. Schirmer, City Engineer

#CM03-00015

fw

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

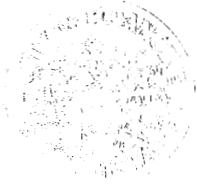
Flood Reduction	\$	18,695,464
Peters Creek Flood Mitigation Phase 4 (1).....		73,355
General Government	\$	8,561,801
Public Works Service Center Phase 1 (2).....		412,993
Streets and Bridges	\$	26,404,534
First Street Pedestrian Bridge (3).....		887,257
Road Safety Improvement Program (4).....		322,704
Walnut Avenue Bridge Project (5).....		369,080
Williamson Road Improvements (6).....		143,859
VDOT Highway Projects (7)		410,000
Curb, Gutter, and Sidewalk #1 (8).....		891,630
Curb, Gutter, and Sidewalk #2 (9).....		500,000
Curb, Gutter and Sidewalk #3 (10).....		500,000
Curb, Gutter and Sidewalk #4 (11).....		500,000
Curb, Gutter and Sidewalk #5 (12).....		500,000
Curb, Gutter and Sidewalk #6 (13)		500,000
Storm Drains	\$	3,516,831
Trout Run Culvert Repairs (14)		114,000
Barnhart Street Drainage Improvements (15)		204,000
Traffic Engineering	\$	4,673,181
Traffic Signals (16)		127,414
Capital Improvement Reserve	\$	579,593
Public Improvement Bonds - Series 1999 (17-20)		-0-
Public Improvement Bonds - Series 2002 (21)		-0-

1) Appropriated from Series 1999 Bond Issue	(008-530-9801-9001)	\$ 73,355
2) Appropriated from Series 1999 Bond Issue	(008-530-9776-9001)	9,169
3) Appropriated from Series 1999 Bond Issue	(008-052-9574-9001)	750,00
4) Appropriated from Series 1999 Bond Issue	(008-052-9606-9001)	17,340
5) Appropriated from Series 1999 Bond Issue	(008-530-9511-9001)	59,080
6) Appropriated from Series 1999 Bond Issue	(008-530-9802-9001)	143,859
7) Appropriated from Series 1999 Bond Issue	(008-530-9803-9001)	410,000
8) Appropriated from Series 2002 Bond Issue	(008-530-9804-9076)	891,630
9) Appropriated from Series 2002 Bond Issue	(008-530-9805-9076)	500,000
10) Appropriated from Series 2002 Bond Issue	(008-530-9806-9076)	500,000
11) Appropriated from Series 2002 Bond Issue	(008-530-9807-9076)	500,000
12) Appropriated from Series 2002 Bond Issue	(008-530-9808-9076)	500,000
13) Appropriated from Series 2002 Bond Issue	(008-530-9809-9076)	500,000
14) Appropriated from Series 1999 Bond Issue	(008-530-9810-9001)	114,000
15) Appropriated from Series 1999 Bond Issue	(008-530-9811-9001)	204,000
16) Appropriated from Series 1999 Bond Issue	(008-530-9812-9001)	127,414
17) Storm Drains	(008-052-9709-9176)	(391,355)
18) Buildings	(008-052-9709-9183)	(9,169)
19) Bridges	(008-052-9709-9190)	(809,080)
20) Streets and Sidewalks	(008-052-9709-9191)	(698,613)
21) Curb, Gutter and Sidewalk Improvements	(008-530-9711-9195)	(3,391,630)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364

Roanoke, Virginia 24011-1591

Telephone: (540) 853-2333

Fax: (540) 853-1138

CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Waiver of Provision of Deed of
Restriction for Elizabeth Arden, Inc.
and Liberty Property Partnership
Limited Expansion at Roanoke
Centre for Industry and Technology

Background:

Elizabeth Arden, Inc., a tenant in a 250,000 square foot facility at the Roanoke Centre for Industry and Technology (RCIT), and Liberty Property Limited Partnership (Liberty), the property owner, wishes to expand at the present site. This expansion will require a waiver from the present Restrictive Covenants at RCIT. The covenants require a 75-foot setback for both the building and the parking lot. However, the size and layout of the site expansion requires the setback be 41 feet for the parking lot and 35 feet for the building. (Note: If an application for the vacation of a City of Roanoke right-of-way at the site is approved, the setback for the building will be in compliance.)

The Restrictive Covenants state in paragraph 6 that the above requirement may be waived by the City of Roanoke. However, the requirements of paragraph 13 must also be met. That provides as follows: 13. Amendments. Except as herein provided, each of the foregoing Restrictive Covenants may as to all persons and property be waived, released, rescinded, modified, altered or amended by the City at the request of and with the consent of the owners or lessees from the City of property for terms of five (5) years or more of more than fifty percent (50%), in area, of the lots or sites within the Centre which have been sold by the City for development.

Six tenants at RCIT have signed off on the waiver, representing over 50% of the tenants/owners by area of the park, and this meets the amendment requirements of the Restrictive Covenants.

Honorable Mayor and Members of Council
February 3, 2003
Page 2

Considerations:

Elizabeth Arden (EA) employs 538 employees in Roanoke, and this expansion will enable EA to continue to grow in employment and marks a significant investment in RCIT.

Recommended Action:

Approve a waiver of the setback requirements as set forth above and authorize the City Manager to execute a Waiver of the Provision of the Deed of Restriction for Elizabeth Arden's expansion substantially similar to the one attached hereto, and to take such further action and execute any other documents necessary for the above expansion.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/sem

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Elizabeth A. Neu, Director of Economic Development

CM03-00018

Schedule A

Real estate lying within the Roanoke Centre for Industry and Technology, in the City of Roanoke, Virginia, and described as follows:

ALL that certain lot, piece or parcel of land with all improvements thereon and appurtenances thereunto belonging, lying and being in the City of Roanoke, Virginia, more particularly shown on plat of survey dated April 15, 1994, prepared by Mattern & Craig, entitled "ALTA/ACSM Land Title Survey for Liberty Property Limited Partnership, On Property of Arden Associates, L.P., Recorded in Deed Book 1631, page 410, Section 2, Parcel 4, of Roanoke Centre for Industry and Technology, Map Book 1, page 959, City of Roanoke, Virginia," and described thereon as follows:

Parcel No. 4 of the Roanoke Centre for Industry and Technology being situated in the Roanoke Centre for Industry and Technology in the City of Roanoke, VA. Recorded in the Clerk's Office of the Circuit Court of the City of Roanoke, VA in Map Book 1, Page 959. Being further described as:

Parcel 4

Beginning at Point No. 1, said point being an iron pin found at the intersection of the easterly right of way line of Blue Hills Circle N.E. and the northerly right of way line of Blue Hills Drive N.E., and being the point of curvature of a 50.00' radius curve to the right. Thence with said right of way and along said curve with a central angle of $082^{\circ}15'51''$, a tangent of 43.67', an arc of 71.79', and a chord of $N31^{\circ}27'50''W$ 65.78' to Point No. 2, an iron pin found. Thence; with said right of way $N09^{\circ}40'06''E$ 394.85' to Point No. 3, an iron pin found, and being the point of curvature of a 723.64' radius curve to the left. Thence; with said right of way and along said curve with a central angle of $024^{\circ}24'17''$, a tangent of 156.49', an arc of 308.23', and a chord of $N02^{\circ}32'03''W$ 305.90', to Point No. 4, an iron pin found. Thence, with said right of way $N14^{\circ}44'11''W$ 106.00' to Point No. 5, an iron pin found. Thence; with said right of way $N27^{\circ}33'44''E$ 81.46' to Point No. 6 an iron pin found. Thence; with said right of way $N36^{\circ}50'29''W$ 126.00' to Point No. 7, an iron pin found. Thence, leaving said right of way $N38^{\circ}15'25''E$ 559.39' to Point No. 8, an iron pin found. Thence; $S47^{\circ}21'54''E$ 1180.48' to Point No. 9, an iron pin found. Thence; $S40^{\circ}08'24''W$ 1220.60' to Point No. 10, an iron pin found on the northerly right of way of Blue Hills Drive N.E. Thence; with said right of way $N49^{\circ}51'36''W$ 255.08' to Point No. 11, an iron pin found, and being the point of curvature of a 540.00' radius curve to the left. Thence; along said curve with a central angle of $022^{\circ}44'09''$, a tangent of 108.57', an arc of 214.28', and a chord of $N61^{\circ}13'41''W$ 212.88', to Point No. 1, being the point of beginning of this description and containing 27.257 acres more or less.

BEING the same real estate conveyed to Liberty Property Limited Partnership, a Pennsylvania limited partnership, by deed from Arden Associates, L.P., a Virginia limited partnership, dated as of March 1, 1995, recorded March 6, 1995, in the Clerk's Office, Circuit Court, City of Roanoke, Virginia, in Deed Book 1733, page 124.

D.T.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION to provide for certain waivers and consents by the City of certain restrictive covenants in connection with certain real property located at the Roanoke Centre for Industry and Technology (RCIT) and owned by Liberty Property Limited Partnership (Liberty) and occupied by Elizabeth Arden, Inc.; authorizing the proper City officials to execute such waivers and consents on behalf of the City in connection with those restrictive covenants; and authorizing the proper City officials to execute any other documents to conclude the proposed expansion of the facility occupied by Elizabeth Arden, Inc., at RCIT.

WHEREAS, Liberty owns certain real property at RCIT that is occupied by Elizabeth Arden, Inc., and these parties wish to expand the facility at the present site. Under the current provisions of the Restrictive Covenants at RCIT recorded in the Roanoke City Circuit Court Clerk's Office, Deed Book 1495, at page 1797, paragraph 6(c), certain setbacks are required for any building or structure on such property. However, the proposed expansion requires a setback of 41 feet for the parking lot and 35 feet for the expanded building and the parties have requested that the City waive the restrictive covenants in accordance with the terms of the Deed of Restriction; and

WHEREAS, the City has agreed to waive the setback requirements in the Deed of Restriction and has also obtained the required number of consents and approvals from other property owners as set forth in paragraph 13 of the Deed of Restriction in order to provide for the setbacks requested by Liberty and Elizabeth Arden, Inc.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City waives the restrictive covenant provisions contained in paragraph 6(c) of the Deed of Restriction for Liberty's property in RCIT regarding required setbacks for buildings or structures to the extent necessary to allow Liberty and Elizabeth Arden, Inc., to provide for expansion of the facility with a

setback of 41 feet for the parking lot and 35 feet for the building expansion from the right-of-way and in order to allow the construction of those items, all as more particularly set forth in the City Manager's letter to Council dated February 3, 2003.

2. The City Manager and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City, a Waiver of the Provision of the Deed of Restriction for Elizabeth Arden's expansion substantially similar to the one attached to the above mentioned City Manager's letter, with the form of such Waiver to be approved by the City Attorney, and to take such further action and to execute and provide such further documents as may be necessary to allow for the above expansion.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
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February 3, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Transfer of funds for Public Works Service
Center Phase I Improvements Projects

In July 2002, the City advertised for a consultant to prepare a master plan for the Public Works Service Center (PWSC). That plan proposes a phased implementation of improvements to PWSC to centralize functions and improve efficiency of operations. The following items, listed by organization, are to be implemented as the first phase of improvements to the PWSC facility.

Transportation Division:

- Salt Storage Building – new salt storage facility to include approximately half of the sheds required for the storage of salt spreaders, snow plows, etc.
- Landscape Maintenance Equipment Shop – modifications to existing warehouse as needed to perform maintenance and repair of equipment. This will allow activity to move from the Reserve Avenue site to PWSC.

Fleet Maintenance Division:

- Fleet Maintenance Doors – Installation of three overhead doors along west wall of Fleet Maintenance Shop. These doors will improve efficiency and productivity of the facility by allowing access to service bays from outside of the building.

Solid Waste Division:

- Solid Waste Island – new concrete median strip with electrical receptacles to serve diesel engine block heaters of Solid Waste trucks. Existing median to be displaced by new Salt Storage Building.

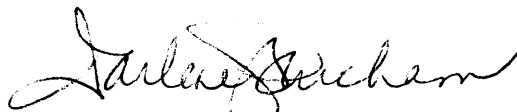
Funding in the amount of \$1,000,000 is needed for these projects, and is available from the following sources to be transferred into Public Works Service Center account 008-530-9776, which currently has a balance of \$378,662.

Transfer to Capital Projects Fund (001-250-9310-9508)	\$170,000
Undesignated fund balance (008-3349)	\$256,641
Brandon Avenue Widening (008-052-9604)	\$152,757
Fleet Maintenance Retained Earnings	\$ 41,940

Recommended Action:

Transfer funding as outlined above to the Public Works Service Center account number 008-530-9776 to provide total funding of \$1,000,000 for these projects.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/SEF

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Philip C. Schirmer, P.E., L.S., City Engineer

#CM03-00019

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects and Fleet Management Funds Appropriations and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects and Fleet Management Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Capital Projects Fund

Appropriations

General Government	\$	9,183,139
Public Works Service Center Phase I (1)		1,034,331
Streets and Bridges	\$	26,251,777
Brandon Avenue Widening (2).....		56,101

Revenues

Nonoperating	\$	2,253,603
Transfer from General Fund (3)		2,211,663
Transfer from Fleet Management Fund (4).....		41,940

Fund Balance

Reserved Fund Balance - Unappropriated		
Fund Balance Available for Appropriation (5)	\$	57,185

Fleet Management Fund

Appropriations

Operating	\$	7,511,590
Transfers to Other Funds (6)		41,940

Retained Earnings

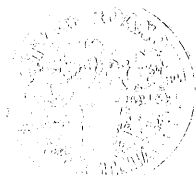
Retained Earnings Available for Appropriation (7)	\$	278,060
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1)	Appropriated from General Revenue	(008-530-9776-9003)	\$ 621,338
2)	Appropriated from General Revenue	(008-052-9604-9003)	(152,757)
3)	Transfer from General Fund	(008-110-1234-1037)	170,000
4)	Transfer from Fleet Management Fund	(008-110-1234-1186)	41,940
5)	Other Fund Balance Available	(008-3349)	(256,641)
6)	Transfer to Capital Projects Fund	(017-440-2643-9508)	41,940
7)	Retained Earnings Available for Appropriations	(017-3348)	(41,940)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

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February 3, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr. Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Police Department Domestic
Violence Program Grant

Background:

The Virginia Department of Criminal Justice Services (DCJS) provides grant funding for programs and activities which increase the apprehension, prosecution and adjudication of persons committing violent crimes against women. The program, "Virginia Services, Training, Officers, Prosecution Violence Against Women" (VSTOP) has funded the establishment of a Domestic Violence Unit within the Police Department since 1999.

On December 19, 2002, DCJS awarded the Police Department \$32,403 to employ its full-time, non-sworn Domestic Violence Specialist thereby allowing continuance of the Domestic Violence Unit in calendar year 2003. The required City in-kind match of \$23,127 will be met through salary paid to current Police Department personnel. The required local cash match of \$3,136 will be met through State Asset Forfeiture Funds, account # 035-640-3302.

The Domestic Violence Unit collects and interprets relevant domestic violence offense data which allows proactive case intervention and cultivation of the cooperative working relationships with clients and service/adjudication agencies. The program produces more equitable victim-offender criminal justice dispositions related to domestic violence offenses.

Recommended Action:

Accept the V-STOP grant described above and authorize the City Manager to execute the grant agreement and any related documents. Appropriate State grant funds of \$32,403 with a corresponding revenue estimate in accounts established by the Director of Finance in the Grant Fund. Additionally, transfer local match of \$3,136 from the State Asset Forfeiture Funds account (035-640-3302) to the same Grant Fund account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene L. Burcham", written in a cursive style.

Darlene L. Burcham
City Manager

DLB:fjd

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda Russell, Assistant City Manager
A. L. Gaskins, Chief of Police

CM03-0017

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Public Safety	\$	2,488,134
VSTOP CY03 (1-8)		35,539

Revenues

Public Safety	\$	2,488,134
VSTOP CY03 (9-10)		35,539

1) Regular Employee		
Salaries	(035-640-3325-1002)	\$ 27,145
2) ICMA RC Retirement	(035-640-3325-1115)	2,647
3) FICA	(035-640-3325-1120)	2,036
4) Health Insurance	(035-640-3325-1125)	1,903
5) Dental Insurance	(035-640-3325-1126)	185
6) Administrative Supplies	(035-640-3325-2030)	460
7) Local Mileage	(035-640-3325-2046)	663
8) Other Equipment	(035-640-3325-9015)	500
9) Local Match	(035-640-3325-3325)	3,136
10) State Grant Receipts	(035-640-3325-3326)	32,403

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the Virginia Services, Training, Officers, Prosecution (VSTOP) Violence Against Women Grant offer made to the City by the Virginia Department of Criminal Justice Services and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke does hereby accept the Virginia Services, Training, Officers, Prosecution (VSTOP) Violence Against Women grant offered by the Virginia Department of Criminal Justice Services in the amount of \$32,403 upon all the terms, provisions and conditions relating to the receipt of such funds.. The grant which requires a \$23,127 in-kind match by the City and a cash match of \$3,136 is more particularly described in the letter of the City Manager, dated February 3, 2003.
2. The City Manager and the City Clerk, are hereby authorized to execute, seal and attest, respectively, the grant agreement and all necessary documents required to accept the grant, including any documents providing for indemnification from the City that may be required for the City's acceptance of this grant, all such documents to be approved as to form by the City Attorney.
3. The City Manager is further directed to furnish such additional information as may be required in connection with the City's acceptance of this grant.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
 215 Church Avenue, S.W., Room 364
 Roanoke, Virginia 24011-1591
 Telephone: (540) 853-2333
 Fax: (540) 853-1138
 CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Transfer of Funds for
 Traffic Calming Initiatives

City Council has been briefed on several ongoing transportation projects that have the goal of calming traffic and making the City's transportation corridors more pedestrian friendly. Areas of improvement include, but may not be limited to, Memorial Avenue, Grandin Road, Williamson Road, Jamison Avenue and Bullitt Avenue.

These traffic calming initiatives are preliminary in nature; therefore, a firm cost estimate has not been established for each of these projects. However, funding in the amount of \$236,870 has been identified as available to support the further development and implementation of these initiatives.

Recommended Action(s):

City Council approve the transfer of \$236,870 from the Valley View Boulevard Interchange Account (#008-052-9545) into a new account to be titled Traffic Calming Initiatives.

Respectfully submitted,

Darlene L. Burcham
 City Manager

DLB/KHK/gpe

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Jesse A. Hall, Director of Finance
 Barry L. Key, Director of Management and Budget
 Robert K. Bengtson, P.E., Director of Public Works
 Kenneth H. King, P.E., Manager, Division of Transportation

CM03-0020

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Streets and Bridges		\$	26,014,907
I-581 Interchange (1).....			6,275,130
Traffic Engineering		\$	4,910,051
Traffic Calming Initiatives (2).....			236,870
1) Appropriated from Series			
1996 Bond Issue	(008-052-9545-9088)	\$ (236,870)
2) Appropriated from Series			
1996 Bond Issue	(008-530-9799-9088)		236,870

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
 215 Church Avenue, S.W., Room 364
 Roanoke, Virginia 24011-1591
 Telephone: (540) 853-2333
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 CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Virginia Pollutant Discharge
 Elimination System General Permit
 Registration Statement for Storm
 Water Discharges

Mandated by Congress under the Clean Water Act, the National Pollutant Discharge Elimination System Storm Water Program is a comprehensive program for addressing the urban sources of storm water pollution. This program uses the State's permitting authority to require implementation of storm water management controls. Under this law, the City of Roanoke is required to submit a Registration Statement outlining the specific ways the City proposes to comply with the program's requirements. The Registration Statement must be submitted to the Virginia Department of Environmental Quality by March 10, 2003.

City staff has completed a Registration Statement outlining the minimum measures the City proposes to comply with this new law. Commitments include: City-wide public education and participation, identifying and removing non-storm water flows, pre and post construction site runoff controls, and pollution prevention measures for municipal operations. These efforts are estimated to cost between \$190,000 and \$225,000 per year, and will begin in March 2003, with the initial permit period lasting five years.


Recommended Action:

Authorize the City Manager to execute a Virginia Pollutant Discharge Elimination System (VPDES) General Permit Registration Statement for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems [VAR040], on behalf of the City, with the Virginia Department of Environmental Quality, with conditions substantially similar to the draft Registration Statement attached to this letter.

Authorize the City Manager to take such further action and execute and provide further documents as may be necessary to comply with and implement the VPDES General Permit,

including necessary contracts or agreements with third parties, to complete the activities outlined in the VPDES General Permit.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Darlene Burcham', with a stylized, flowing script.

Darlene L. Burcham
City Manager

DLB/JGR/bls

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Paul J. Truntich, Environmental Administrator
Philip C. Schirmer, City Engineer
Robert H. Bird, Acting Purchasing Manager

CM03-00024



City of Roanoke, Virginia

**VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES)
GENERAL PERMIT REGISTRATION STATEMENT
FOR STORM WATER DISCHARGES
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
[VAR040]**

March 2003

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Minimum Control Measure 5: Post Construction storm water management in new development and redevelopment

BMP: 5-1. Develop, Adopt and Enforce an ordinance addressing water quality in post construction site storm water runoff. 26

BMP: 5-2. Develop a storm water design manual that includes performance standards designed to control runoff impacts on receiving waters. 27

BMP: 5-3. Develop an Inspection and Enforcement program for maintenance of Post Construction structural storm water quality controls. 28

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Executive Summary:

Storm Water Quality Management Program: City of Roanoke, Virginia.

Since the passage of the Clean Water Act (CWA), the quality of our Nation's waters has improved dramatically. Despite this progress, however, degraded waterbodies still exist. The Virginia Pollutant Discharge Elimination System (VPDES) Storm Water Phase II Final Rule is the next step in the Environmental Protection Agency's (EPA) effort to preserve, protect, and improve the Nation's water resources from polluted storm water runoff. The Phase II program requires that operators of small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas and operators of small construction sites file general VPDES permits to implement programs and practices to improve the quality of polluted storm water runoff.

VPDES Phase II is intended to further reduce adverse impacts to water quality and aquatic habitat by instituting the use of controls on the unregulated sources of storm water discharges that have the greatest likelihood of causing continued environmental degradation. Storm water discharges from MS4s in urbanized areas are a concern because of the high concentration of pollutants found in these discharges. Concentrated development in urbanized areas substantially increases impervious surfaces, such as City streets, driveways, parking lots, and sidewalks, on which pollutants from concentrated human activities settle and remain until a storm event washes them into nearby storm drains. Common pollutants include pesticides, fertilizers, oils, salt, litter, sediment and other debris. Another concern is the possible illicit connections of sanitary sewers, which can result in bacterial contamination of the storm sewer system and receiving waterways. Storm water runoff picks up and transports these and other harmful pollutants then discharges them – untreated – to waterways via storm sewer systems. When left uncontrolled, these discharges can result in fish kills, the destruction of spawning and wildlife habitats, a loss in aesthetic value, and contamination of drinking water supplies and recreational waterways that can threaten public health.

The City of Roanoke is built around the Roanoke River and the resources it provides. The City's current comprehensive plan, Vision 2001-2020, includes a commitment to "protect the environment and ensure quality air and water for the citizens of the region". The City places special emphasis on the Roanoke River and its tributaries and has made a strong effort to addressing storm water management on both the regional and local basis. In response to the CWA's VPDES Phase II General Permit requirements, the City of Roanoke has developed a comprehensive and proactive Storm Water Quality Management Program. The City's plan includes a strong emphasis on 3rd to 8th grade education, and adult and professional training. The Storm Water Quality

Management Program is built upon a foundation of cooperation with the City's neighborhoods and communities. The plan includes a comprehensive and proactive assessment of the storm sewer system which includes drainage system mapping, drainage system maintenance and an in-house education/training component. Major components of the program include development and adoption of ordinances that include water quality assessment in site design and review. These ordinances also include the consideration of water quality Best Management Practices in new development and re-development. Additionally, the plan includes a City commitment to initiate spill prevention plans at City facilities, and to maintain its current drainage system maintenance program and street sweeping operations.

Strong regional cooperation has been pursued in the areas of education, public involvement and pollution prevention. The City intends to participate in a regional effort to educate the public with articles placed in the "Citizens" magazine, promotional videos on storm water education produced by Roanoke Valley Television (RVTV) and with the continuation of the Household Hazardous Waste Collection Day. The City also has the opportunity to continue to cooperate in the development of greenways and to consider regional cooperation as the discussion of a regional storm water utility is pursued. The City intends to provide coordination for annual regional meetings and will continue to cooperate in the regional storm drain stenciling educational project. Continued regional cooperation and discussion will be economically sound, and instrumental in the effective reduction of pollutants into the region's rivers and streams.

The VPDES Phase II regulations are currently not funded at the state or Federal level. The City of Roanoke is making a substantial commitment to this un-funded Federal mandate. Cost projections for the City's Storm Water Quality Management Program are estimated to be one million dollars for the five years of the first permit period. Regional partners are looking at similar implementation costs. Maintenance and fulfillment of this program will need a secure and reliable funding source as the implementation of the program progresses. The initial commitment to develop and establish a comprehensive program that protects the City's storm water quality has been made and will continue over the permit term to provide the region's citizens with clean water now and well into the future.

**VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES)
GENERAL PERMIT REGISTRATION STATEMENT FOR STORM WATER
DISCHARGES
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
[VAR040]**

(Please Type or Print All Information)

1. Regulated Small MS4

Name:
City of Roanoke

Location (City):
Roanoke, Virginia

2. Regulated Small MS4 Owner

Name:
City of Roanoke

Address:
City of Roanoke
Attention: City Manager
Noel C Taylor Municipal Building
215 Church Avenue, S.W., Room 364

City: Roanoke State: Virginia Zip: 24011-1591

Phone: (540) 853-2333

3. Name(s) of the receiving water(s) into which the small MS4 discharges:

<u>Barnhardt Creek</u>	<u>Carvins Creek</u>	<u>Garnand Branch</u>
<u>Glade Creek</u>	<u>Gum Spring Branch</u>	<u>Lick Run</u>
<u>Mudlick Creek</u>	<u>Murdock Creek</u>	<u>Murray Run</u>
<u>Roanoke River</u>	<u>Ore Branch</u>	<u>Peters Creek</u>
<u>Tinker Creek</u>	<u>Trout Run</u>	<u>West Fork Carvins Creek</u>

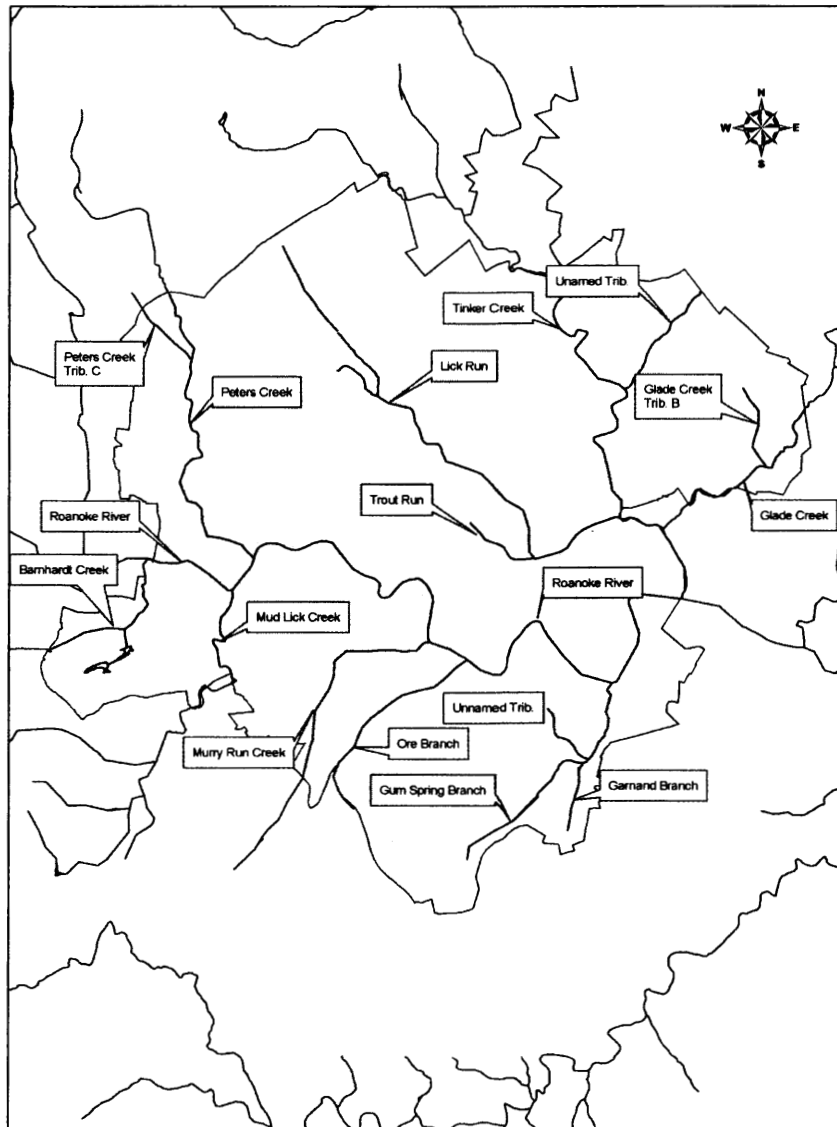


Figure: 1 Map of Receiving Waters for the Municipal Separate Storm Sewer System, City of Roanoke, Virginia.

4. Attach a description of the Best Management Practices (BMP's) that the owner or another entity proposes to implement for each of the following storm water minimum control measures:

- (1) public education and outreach on storm water impacts,**
- (2) public involvement/participation,**
- (3) illicit discharge detection and elimination,**
- (4) construction site storm water runoff control,**
- (5) post-construction storm water management in new development and redevelopment, and**
- (6) pollution prevention/good housekeeping for municipal operations.**

5. For each of the BMP's described in (4), list the measurable goals for each BMP including, as appropriate, the years in which the required actions will be undertaken, including interim milestones and the frequency of the action.

6. Attach a list of the person or persons responsible for implementing or coordinating the small MS4 storm water management program.

Storm Water Quality Management Program Administrator:

Paul Truntich, Environmental Administrator, City of Roanoke

215 Church Avenue, S.W.

Noel C. Taylor Municipal Building Room 364

Roanoke, VA 24011

(540) 853-2425

7. Certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Print Name:
Darlene L. Burcham

Title:
City Manager

Signature: _____

Date: _____

**For Department of Environmental Quality Use Only DEQ-WATER FORM
SWGP-MS4-001-RS (12/02)**

Accepted/Not Accepted by: _____

Date: _____

Basin _____ Stream Class _____

Section _____

Special Standards _____

Storm Water Quality Management Program:

Minimum Control Measure 1: Public Education and Outreach.

Responsible Party: Office of Communications			
Target Date	Task	Measurable Goals	Notes
March 10, 2004	Conduct a comprehensive review of current publications and educational programs produced by the City and cooperators that directly address storm water management and storm water quality improvement.	Create a database of all educational programs, brochures, pamphlets, videos, and educational opportunities and make the database accessible through the City of Roanoke's website.	
March 10, 2005	Revise existing and develop new listings of publications, programs and educational opportunities found in the region and continually update the database.	The database will be revised and updated.	
March 10, 2006	Revise existing and develop new listings of publications, programs and educational opportunities found in the region and continually update the database.	The database will be revised and updated.	
March 10, 2007	Revise existing and develop new listings of publications, programs and educational opportunities found in the region and continually update the database.	The database will be revised and updated.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Office of Communications			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop a storm water quality informational brochure.	Brochures will be distributed online, at library branches, at neighborhood meetings, schools, stream schools, and City buildings. A copy of the brochure will be provided to the DEQ.	
March 10, 2005	Develop an updated storm water quality informational brochure.	Continue to provide brochures online, at library branches, at neighborhood meetings, schools, stream schools, and at City buildings. A copy of the brochure will be provided to the DEQ.	
March 10, 2006	Develop an updated storm water quality informational brochure.	Brochures will be distributed online, at library branches, at neighborhood meetings, schools, stream schools, and at City buildings. A copy of the brochure will be provided to the DEQ.	
March 10, 2007	Develop an updated storm water quality informational brochure.	Continue to provide brochures online, at library branches, at neighborhood meetings, schools, stream schools, and at City buildings. A copy of the brochure will be provided to the DEQ.	
March 10, 2008	Develop an updated storm water quality informational brochure.	Continue to provide brochures online, at library branches, at neighborhood meetings, schools, stream schools, and at City buildings. A copy of the brochure will be provided to the DEQ.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Office of Communications			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Organize stream schools in cooperation with the Roanoke River Senior Environment Corps and Virginia Save our Streams.	Conduct two stream school seminars and document attendance.	
March 10, 2005	Organize stream schools in cooperation with the Roanoke River Senior Environment Corps and Virginia Save our Streams	Conduct two stream school seminars and document attendance.	
March 10, 2006	Organize stream schools in cooperation with the Roanoke River Senior Environment Corps and Virginia Save our Streams	Conduct two stream school seminars and document attendance.	
March 10, 2007	Organize stream schools in cooperation with the Roanoke River Senior Environment Corps and Virginia Save our Streams	Conduct two stream school seminars and document attendance.	
March 10, 2008	Organize stream schools in cooperation with the Roanoke River Senior Environment Corps and Virginia Save our Streams	Conduct two stream school seminars and document attendance.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Office of Communications			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	The Office of Communications in cooperation with City schools will develop and provide programs addressing storm water and related water quality issues. A minimum of 10 percent of all City school children (3 rd -8 th grades) will be educated every year on storm water pollution by providing students in the City with live presentations.	Document that 10 percent of 3 rd -8 th grade school children have been educated on storm water quality by tracking the number of programs provided and the number of children reached.	
March 10, 2005	Continue to provide and update storm water education programs.	Continue to document program implementation and numbers of children reached.	
March 10, 2006	Continue to provide and update storm water education programs.	Continue to document program implementation and numbers of children reached.	
March 10, 2007	Continue to provide and update storm water education programs.	Continue to document program implementation and numbers of children reached.	
March 10, 2008	Continue to provide and update storm water education programs.	Continue to document program implementation and numbers of children reached.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Office of Communications			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Produce a feature program on <u>Inside Roanoke</u> , in the Roanoke "Citizen" magazine, and in other media products.	Produce at least one supporting document/other media product per year.	
March 10, 2005	Produce a feature program on <u>Inside Roanoke</u> , in the Roanoke "Citizen" magazine, and in other media products.	Produce at least one supporting document/other media product per year.	
March 10, 2006	Produce a feature program on <u>Inside Roanoke</u> , in the Roanoke "Citizen" magazine, and in other media products.	Produce at least one supporting document/other media product per year.	
March 10, 2007	Produce a feature program on <u>Inside Roanoke</u> , in the Roanoke "Citizen" magazine, and in other media products.	Produce at least one supporting document/other media product per year.	
March 10, 2008	Produce a feature program on <u>Inside Roanoke</u> , in the Roanoke "Citizen" magazine, and in other media products.	Produce at least one supporting document/other media product per year.	

Minimum Control Measure 2: Public Participation and Involvement.

Responsible Party: Environmental and Emergency Management			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	A citizen workgroup will be established. The group will meet four times a year to be updated on the Storm Water Quality Management Program and to review informational materials and education components of the program.	The Storm Water Quality Management Program Citizens Workgroup will meet four times. Group activities and meeting minutes will be reported to the DEQ.	
March 10, 2005	Document and continue to have an active workgroup which meets four times per year.	Continue to document group activities and meeting minutes.	
March 10, 2006	Document and continue to have an active workgroup which meets four times per year.	Continue to document group activities and meeting minutes.	
March 10, 2007	Document and continue to have an active workgroup which meets four times per year.	Continue to document group activities and meeting minutes.	
March 10, 2008	Document and continue to have an active workgroup which meets four times per year.	Continue to document group activities and meeting minutes.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Environmental and Emergency Management			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	An annual public meeting will be held to get public input on the PROGRAM. The coordination meeting will involve municipalities, regulatory agencies, and interested stakeholders to discuss progress of the storm water management program and the next year's activities.	Meeting minutes and attendance records will be supplied to all participants and to the DEQ.	
March 10, 2005	Hold annual public meeting.	Continue to provide participants and DEQ with meeting minutes and attendant list.	
March 10, 2006	Hold annual public meeting.	Continue to provide participants and DEQ with meeting minutes and attendant list.	
March 10, 2007	Hold annual public meeting.	Continue to provide participants and DEQ with meeting minutes and attendant list.	
March 10, 2008	Hold annual public meeting.	Continue to provide participants and DEQ with meeting minutes and attendant list.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Transportation Division			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	The City will have an active Storm Drain Stenciling Program throughout the permit period.	Records will be kept for: Number of Drains stenciled. Number of Groups participating, and the data sheets recording storm drain locations and conditions.	
March 10, 2005	The City will have an active Storm Drain Stenciling Program throughout the permit period.	Records will be kept for: Number of Drains stenciled. Number of Groups participating, and the data sheets recording storm drain locations and conditions.	
March 10, 2006	The City will have an active Storm Drain Stenciling Program throughout the permit period.	Records will be kept for: Number of Drains stenciled. Number of Groups participating, and the data sheets recording storm drain locations and conditions.	
March 10, 2007	The City will have an active Storm Drain Stenciling Program throughout the permit period.	Records will be kept for: Number of Drains stenciled. Number of Groups participating, and the data sheets recording storm drain locations and conditions.	
March 10, 2008	The City will have an active Storm Drain Stenciling Program throughout the permit period.	Records will be kept for: Number of Drains stenciled. Number of Groups participating, and the data sheets recording storm drain locations and conditions.	

Minimum Control Measure 3: Illicit Discharge Detection and Elimination.

BMP: 3-1. Develop A Storm Drain System Map			
Responsible Party: Engineering			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop storm sewer outfall map	Complete map of 10% of all storm drain pipe 15-inch and larger within City limits.	
March 10, 2005	Develop storm sewer system map	Complete map of 50% of all storm drain pipe 15-inch and larger within City limits.	
March 10, 2006	Develop a storm sewer system map.	Complete map of 100% of all storm drain pipe 15-inch and larger within City limits.	
March 10, 2007	Develop storm sewer system database	Complete database for all storm drain pipe 15-inch and larger within City limits.	
March 10, 2008	Maintain storm sewer system database	Continue to maintain and update database for all storm drain pipe 15-inch and larger within City limits.	

City Of Roanoke
VPDES Phase II Registration Statement

BMP: 3-2. Develop regulations and an enforcement program for a Storm Water Ordinance preventing illegal discharges into the storm drain system.			
Responsible Party: Engineering			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop an ordinance prohibiting illegal discharges into the storm drain system.	Draft ordinance ready for City Council approval.	
March 10, 2005	Adopt and enforce an ordinance prohibiting illegal discharges into the storm drain system.	Council adoption of illegal discharge ordinance and documentation of enforcement.	
March 10, 2006	Continue to enforce an ordinance prohibiting illegal discharges into the storm drain system.	Continue documentation of enforcement.	
March 10, 2007	Continue to enforce an ordinance prohibiting illegal discharges into the storm drain system.	Continue documentation of enforcement.	
March 10, 2008	Continue to enforce an ordinance prohibiting illegal discharges into the storm drain system.	Continue documentation of enforcement.	

City Of Roanoke
VPDES Phase II Registration Statement

BMP: 3-3. Pilot project for Illicit Discharge Detection and Elimination.			
Responsible Party: Engineering			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	N/A	N/A	
March 10, 2005	Implement a pilot project for Illicit Discharge Detection and Elimination in the Forest Park Neighborhood (Horton's Branch).	Complete dry weather visual inspections of all storm drains 15-inch and larger. TV inspection of any storm drain with suspicious dry- weather flow.	
March 10, 2006	N/A	N/A	
March 10, 2007	N/A	N/A	
March 10, 2008	N/A	N/A	

City Of Roanoke
VPDES Phase II Registration Statement

BMP: 3-4. Identify and enforce correction of illicit connections.			
Responsible Party: Engineering			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	N/A	N/A	
March 10, 2005	N/A	N/A	
March 10, 2006	Conduct dry weather survey of 10% of storm sewer system outfalls 15 inch diameter or greater to identify non-storm water flows.	Document the number of storm drain outfalls surveyed, number of illicit connections identified, and the number of illicit connections corrected.	
March 10, 2007	Continue dry weather survey of storm sewer system outfalls 15 inch diameter or greater.	Continue to document the number of storm drain outfalls surveyed and the number of illicit connections identified.	
March 10, 2008	Continue dry weather survey of storm sewer system outfalls 15 inch diameter or greater.	Continue to document the number of storm drain outfalls surveyed and the number of illicit connections identified.	

City Of Roanoke
VPDES Phase II Registration Statement

BMP: 3-5. Provide an Illicit discharge/illegal dumping response system for Public Reporting			
Responsible Party: Housing and Neighborhood Services			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop an issue type within the Suite Response Service for citizens to report illegal dumping and suspicious discharges. The phone number and contact information will be advertised in the Storm Water Quality Informational Brochure developed through BMP 1-2.	Issue type within the Suite Response Service developed and ready to be advertised.	
March 10, 2005	Maintain an issue type within the Suite Response Service for citizens to report illegal dumping and suspicious discharges. The phone number and contact information will be advertised in the Storm Water Quality Informational Brochure developed through BMP 1-2 and on the City's website.	Document the number of calls and call responses on an annual basis.	
March 10, 2006	Maintain an issue type within the Suite Response Service for citizens to report illegal dumping and suspicious discharges. The phone number and contact information will be advertised in the Storm Water Quality Informational Brochure developed through BMP 1-2 and on the City's website.	Document the number of calls and call responses on an annual basis.	
March 10, 2007	Maintain an issue type within the Suite Response Service for citizens to report illegal dumping and suspicious discharges. The phone number and contact information will be advertised in the Storm Water Quality Informational Brochure developed through BMP 1-2 and on the City's website.	Document the number of calls and call responses on an annual basis.	
March 10, 2008	Maintain an issue type within the Suite Response Service for citizens to report illegal dumping and suspicious discharges. The phone number and contact information will be advertised in the Storm Water Quality Informational Brochure developed through BMP 1-2 and on the City's website.	Document the number of calls and call responses on an annual basis.	

Minimum Control Measure 4: Construction Site Runoff Control.

Responsible Party: Planning, Building and Development			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Require Erosion and Sediment Control plans for any land disturbance greater than 2,000 square feet and continue to be compliant with all state and federal guidelines regarding construction site runoff controls.	Make sure that current city regulations and Erosion and Sediment control programs are fully compliant with the VPDES Phase II regulations and track regulated land disturbing activities. A report of the total number of regulated land disturbing activities and the total acreage disturbed will be included in the DEQ required reporting.	
March 10, 2005	Require Erosion and Sediment Control plans for any land disturbance greater than 2,000 square feet and continue to be compliant with all state and federal guidelines regarding construction site runoff controls.	Make sure that current city regulations and Erosion and Sediment control programs are fully compliant with the VPDES Phase II regulations and track regulated land disturbing activities. A report of the total number of regulated land disturbing activities and the total acreage disturbed will be included in the DEQ required reporting.	
March 10, 2006	Require Erosion and Sediment Control plans for any land disturbance greater than 2,000 square feet and continue to be compliant with all state and federal guidelines regarding construction site runoff controls.	Make sure that current city regulations and Erosion and Sediment control programs are fully compliant with the VPDES Phase II regulations and track regulated land disturbing activities. A report of the total number of regulated land disturbing activities and the total acreage disturbed will be included in the DEQ required reporting.	
March 10, 2007	Require Erosion and Sediment Control plans for any land disturbance greater than 2,000 square feet and continue to be compliant with all state and federal guidelines regarding construction site runoff controls.	Make sure that current city regulations and Erosion and Sediment control programs are fully compliant with the VPDES Phase II regulations and track regulated land disturbing activities. A report of the total number of regulated land disturbing activities and the total acreage disturbed will be included in the DEQ required reporting.	
March 10, 2008	Require Erosion and Sediment Control plans for any land disturbance greater than 2,000 square feet and continue to be compliant with all state and federal guidelines regarding construction site runoff controls.	Make sure that current city regulations and Erosion and Sediment control programs are fully compliant with the VPDES Phase II regulations and track regulated land disturbing activities. A report of the total number of regulated land disturbing activities and the total acreage disturbed will be included in the DEQ required reporting.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Planning, Building and Development			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Identify the number of currently certified Erosion and Sediment Control employees and develop a program for additional certifications and employee training. Additionally, develop a list of City positions whose job responsibilities necessitate Erosion and Sediment control certification and training.	Document the number of employees trained and certified in Erosion and Sediment Control procedures.	
March 10, 2005	Maintain Erosion and Sediment Control training and/or certifications for City employees.	Document the number of employees trained and certified in Erosion and Sediment Control procedures.	
March 10, 2006	Maintain Erosion and Sediment Control training and/or certifications for City employees.	Continue to document the number of employees trained and certified in Erosion and Sediment Control procedures.	
March 10, 2007	Maintain Erosion and Sediment Control training and/or certifications for City employees.	Continue to document the number of employees trained and certified in Erosion and Sediment Control procedures.	
March 10, 2008	Maintain Erosion and Sediment Control training and/or certifications for City employees.	Continue to document the number of employees trained and certified in Erosion and Sediment Control procedures.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Planning, Building and Development			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop an awards program to recognize developers/contractors who incorporate water quality best management practices and innovative technologies in site design and development projects.	Document the number of awards given and award recipients.	
March 10, 2005	Maintain awards program.	Continue to document the number of awards given and award recipients.	
March 10, 2006	Maintain awards program.	Continue to document the number of awards given and award recipients.	
March 10, 2007	Maintain awards program.	Continue to document the number of awards given and award recipients.	
March 10, 2008	Maintain awards program.	Continue to document the number of awards given and award recipients.	

Minimum Control Measure 5: Post Construction storm water management in new development and redevelopment.

BMP: 5-1. Develop, Adopt and Enforce an ordinance addressing water quality in post construction site storm water runoff.			
Responsible Party: Planning, Building and Development			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop, in conjunction with current sub-division revision review, an ordinance that specifically addresses storm water quality controls in accordance with the current Virginia Storm Water Management Handbook and provides for surety in post construction long term operation and maintenance of storm water BMPs.	Final version of Ordinance ready for council approval.	
March 10, 2005	Adopt an ordinance that specifically addresses storm water quality controls in accordance with the current Virginia Storm Water Management Handbook and provides for surety in post construction long term operation and maintenance of storm water BMPs.	City Council Adoption of post construction storm water quality Ordinance.	
March 10, 2006	Enforce post construction storm water quality Ordinance.	Document the number of BMPs installed, the number of ordinance violations and the total number of developments/projects affected by the Ordinance.	
March 10, 2007	Continue enforcement of the post construction storm water quality Ordinance.	Continue to document the number of BMPs installed, the number of ordinance violations and the total number of developments/projects affected by the Ordinance.	
March 10, 2008	Continue enforcement of the post construction storm water quality Ordinance.	Continue to document the number of BMPs installed, the number of ordinance violations and the total number of developments/projects affected by the Ordinance.	

City Of Roanoke
VPDES Phase II Registration Statement

BMP: 5-2. Develop a storm water design manual that includes performance standards designed to control runoff impacts on receiving waters.			
Responsible Party: Planning, Building and Development			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop a storm water design manual that includes performance standards designed to control runoff impacts on receiving waters and includes a menu of appropriate water quality BMPs	Preliminary design manual completed.	
March 10, 2005	Finalize storm water design manual revisions.	Final design manual completed.	
March 10, 2006	Design manual implemented and design standards enforced.	Design manual printed and made available through the City's website.	
March 10, 2007	Design manual revised to incorporate developing BMPs and innovations in technology.	Design manual updated to reflect latest technology. Updates posted to the City's website.	
March 10, 2008	Design manual revised to incorporate developing BMPs and innovations in technology.	Design manual updated to reflect latest technology. Updates posted to the City's website.	

City Of Roanoke
VPDES Phase II Registration Statement

BMP: 5-3. Develop an Inspection and Enforcement program for maintenance of Post Construction structural storm water quality controls in new development and redevelopment.			
Responsible Party: Planning, Building and Development			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Review and Evaluate current Erosion and Sediment Control plans. Initiate a program for inspection of facilities. Develop the program to include a component that allows for tracking of current and future plans and a schedule for inspection of all facilities on a bi-annual basis with consideration for emergency and wet weather inspections.	Document structure of program and proposed schedule for inspections.	
March 10, 2005	Conduct an inventory of structural runoff controls.	Document the number of storm water quality controls in place and the number of controls inspected.	
March 10, 2006	Develop a GIS to integrate the location of these controls with schedules for regular inspection and maintenance. Conduct two inspections of each structural control per year and conduct regular maintenance as prescribed for each type of practice.	Continue to document the number of storm water quality controls in place and the number of controls inspected.	
March 10, 2007	Continue schedule of inspection and maintenance of facilities.	Continue to document the number of storm water quality controls in place and the number of controls inspected.	
March 10, 2008	Continue schedule of inspection and maintenance of facilities.	Continue to document the number of storm water quality controls in place and the number of controls inspected.	

Minimum Control Measure 6: Pollution Prevention/Good Housekeeping.

MM# 6: Develop Spill Prevention and Control Plans and Training			
Responsible Party: Environmental and Emergency Management			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Evaluate current city facilities/departments for development of spill prevention and control plans	Quantify number of city facilities/departments that require development of spill prevention and control plans	
March 10, 2005	Prepare spill prevention and control plans and conduct associated training for city employees	Prepare up to three (3) spill prevention and control plans and conduct training associated with each plan	
March 10, 2006	Prepare spill prevention and control plans and conduct associated training for city employees	Prepare up to (3) spill prevention and control plans and conduct training associated with each plan	
March 10, 2007	Prepare spill prevention and control plans and conduct associated training for city employees	Prepare up to (3) spill prevention and control plans and conduct training associated with each plan	
March 10, 2008	Prepare spill prevention and control plans and conduct associated training for city employees	Prepare up to (3) spill prevention and control plans and conduct training associated with each plan	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Environmental and Emergency Management			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Conduct a HHHW Collection Event and distribute materials to citizens on proper storage and disposal of HHHW and alternatives to using hazardous materials	Conduct one (1) HHHW Collection event and distribute informational materials to a minimum of 1,000 citizens	
March 10, 2005	Conduct a HHHW Collection Event and distribute materials to citizens on proper storage and disposal of HHHW and alternatives to using hazardous materials	Conduct one (1) HHHW Collection event and distribute informational materials to a minimum of 1,000 citizens	
March 10, 2006	Conduct a HHHW Collection Event and distribute materials to citizens on proper storage and disposal of HHHW and alternatives to using hazardous materials	Conduct one (1) HHHW Collection event and distribute informational materials to a minimum of 1,000 citizens	
March 10, 2007	Conduct a HHHW Collection Event and distribute materials to citizens on proper storage and disposal of HHHW and alternatives to using hazardous materials	Conduct one (1) HHHW Collection event and distribute informational materials to a minimum of 1,000 citizens	
March 10, 2008	Conduct a HHHW Collection Event and distribute materials to citizens on proper storage and disposal of HHHW and alternatives to using hazardous materials	Conduct one (1) HHHW Collection event and distribute informational materials to a minimum of 1,000 citizens	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Transportation Division			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop and maintain a program for storm sewer systems maintenance	Document the commitment of 1600 labor hours towards the storm sewer systems maintenance program.	
March 10, 2005	Maintain a program for storm sewer systems maintenance	Document the commitment of 2000 labor hours towards the storm sewer systems maintenance program.	
March 10, 2006	Maintain a program for storm sewer systems maintenance	Document the commitment of 2400 labor hours towards the storm sewer systems maintenance program.	
March 10, 2007	Maintain a program for storm sewer systems maintenance	Document the commitment of 2600 labor hours towards the storm sewer systems maintenance program.	
March 10, 2008	Maintain a program for storm sewer systems maintenance	Document the commitment of 3000 labor hours towards the storm sewer systems maintenance program.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Transportation Division			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop a Program for Street Sweeping.	Sweep an annual total of 800 lane miles of arterial streets and 1,000 lane miles of residential streets.	
March 10, 2005	Maintain a Program for Street Sweeping.	Sweep an annual total of 800 lane miles of arterial streets and 1,000 lane miles of residential streets.	
March 10, 2006	Maintain a Program for Street Sweeping.	Sweep an annual total of 800 lane miles of arterial streets and 1,000 lane miles of residential streets.	
March 10, 2007	Maintain a Program for Street Sweeping.	Sweep an annual total of 800 lane miles of arterial streets and 1,000 lane miles of residential streets.	
March 10, 2008	Maintain a Program for Street Sweeping.	Sweep an annual total of 800 lane miles of arterial streets and 1,000 lane miles of residential streets.	

City Of Roanoke
VPDES Phase II Registration Statement

Responsible Party: Environmental and Emergency Management			
Target Date	Task	Measurable Goal	Notes
March 10, 2004	Develop Pollution Prevention and Hazardous Waste training programs for municipal employees, grounds maintenance workers and landscaping crews.	Document the number of classes held, the number of workers attending and the material covered by the training.	
March 10, 2005	Maintain training programs.	Continue to document the number of classes held, the number of workers attending and the material covered by the training.	
March 10, 2006	Maintain training programs.	Continue to document the number of classes held, the number of workers attending and the material covered by the training.	
March 10, 2007	Maintain training programs.	Continue to document the number of classes held, the number of workers attending and the material covered by the training.	
March 10, 2008	Maintain training programs.	Continue to document the number of classes held, the number of workers attending and the material covered by the training.	

D.T.
IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to execute, for and on behalf of the City of Roanoke, a Virginia Pollutant Discharge Elimination System (VPDES) General Permit Registration Statement for storm water discharges from small municipal separate storm sewer systems with the Virginia Department of Environmental Quality, upon certain terms and conditions; and authorizing the City Manager to take such further action and to execute and provide such further documents as may be necessary to comply with or implement the provisions of that Registration Statement.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Roanoke, a Virginia Pollutant Discharge Elimination System General Permit Registration Statement for storm water discharges from small municipal separate storm sewer systems with the Virginia Department of Environmental Quality, upon certain terms and conditions, with the form of the Registration Statement to be approved by the City Attorney, all as set forth in the City Manager's letter to Council dated February 3, 2003.
2. The Registration Statement shall contain terms and conditions as mentioned in the above City Manager's letter and will be substantially similar to the Registration Statement attached to such letter.
3. The City Manager is also authorized to take such further action and to execute and provide such further documents as may be necessary to comply with or implement the provisions of the Registration Statement and the filing requirements for such Registration Statement, including , but not limited to any necessary contracts or agreements with third parties to implement and complete the items outlined in the Registration Statement.

4. By adopting this Resolution, City Council hereby expresses its intent to fund, either through prior, simultaneous, or future appropriations, the funds required for complying with the terms of the above mentioned Registration Statement.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
 215 Church Avenue, S.W., Room 364
 Roanoke, Virginia 24011-1591
 Telephone: (540) 853-2333
 Fax: (540) 853-1138
 CityWeb: www.roanokegov.com

February 3, 2003

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Transfer of Funds for the
 Implementation of Traffic
 Signal Systems

City Council has been briefed on the need to make improvements to the City's traffic signal systems to reduce congestion and improve the City's ability to effectively manage the existing public street infrastructure. Initial improvements will focus on the Orange Avenue corridor between Gainsboro Road and Gus Nicks Boulevard. These systems will support the daily demands of rush hour traffic as well as the occasional demands created by the Roanoke Civic Center and future Stadium/Amphitheater facility.

Recommended Action(s):

City Council approve the transfer of \$266,156 from the Paving Program (001-530-4120-2010) and \$63,844 from the Streets & Bridges Capital Improvement Reserve (008-052-9575-9173) into a new account in the Capital Projects Fund to be entitled Traffic Signal Systems.

Respectfully submitted,

Darlene L. Burcham
 City Manager

DLB/KHK/gpe

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Jesse A. Hall, Director of Finance
 Barry L. Key, Director of Management and Budget
 Robert K. Bengtson, P.E., Director of Public Works
 Kenneth H. King, Jr., P.E., Manger, Division of Transportation

CM03-0021

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Capital Projects Funds Appropriations and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General and Capital Projects Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

General Fund

Appropriations

Public Works	\$	24,717,329
Transportation - Street Paving (1).....		2,437,183
Nondepartmental	\$	75,175,922
Transfers to Other Funds (2)		72,185,704

Capital Projects Fund

Appropriations

Traffic Engineering	\$	5,240,051
Traffic Signal Systems (3).....		330,000
Capital Improvement Reserve	\$	515,749
Capital Improvement Reserve (4).....		515,749

Revenues

Nonoperating	\$	2,519,759
Transfer from General Fund (5).....		2,477,819

- | | | |
|--------------------------------------|---------------------|---------------|
| 1) Fees for Professional Services | (001-530-4120-2010) | \$ (266,156) |
| 2) Transfer to Capital Projects Fund | (001-250-9310-9508) | 266,156 |
| 3) Appropriated from General Revenue | (008-530-9800-9003) | 330,000 |
| 4) Streets and Bridges | (008-052-9575-9181) | (63,844) |

5) Transfer from
General Fund (008-110-1237-1037) \$ 266,156

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE
OFFICE OF CITY ATTORNEY
 464 MUNICIPAL BUILDING
 215 CHURCH AVENUE, SW
 ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431
 FAX: 540-853-1221
 E-MAIL: cityatty@ci.roanoke.va.us

ELIZABETH K. DILLON
STEVEN J. TALEVI
GARY E. TEGENKAMP
DAVID L. COLLINS
CAROLYN H. FURROW
 ASSISTANT CITY ATTORNEYS

WILLIAM M. HACKWORTH
 CITY ATTORNEY

February 3, 2003

The Honorable Mayor and
 Members of Roanoke City Council
 Roanoke, VA

Re: Roanoke Academy of Mathematics and Science

Dear Mayor Smith and Council Members:

On May 28, 1965, the National Park Service, pursuant to the Federal Property and Administrative Services Act of 1949 conveyed, by deed, 7.83 acres of land to the City (Tax Parcel #2340121), the deed is recorded in the Circuit Court for the City of Roanoke in Deed Book 1179, at page 244. This conveyance included certain terms, conditions, covenants and restrictions that required the property to be used and maintained for public park or public recreational purposes.

On January 22, 2002, Council approved Resolution No.35728-012202 authorizing the Roanoke City School Board to use approximately 8.5 acres of land on the corner of 19th Street and Andrews Road for the new Roanoke Academy of Mathematics and Science. That measure contained a provision that the School Board receive the required approval from the United States Department of Interior for a land exchange. On November 21, 2002, such approval was obtained and we have now received the approval, release and transfer of terms, conditions, covenants and restrictions from the above described property. As a result of this action, the City proposes to remove the terms, conditions, covenants and restrictions enumerated in the 1965 conveyance from a 3.217± acre tract, lying within the boundary of Kennedy Park, to enable the School Board to use the property for educational purposes, and to transfer these same terms, conditions, covenants and restrictions to a 1.039± acre tract located at Riverland Road Addition (Roanoke River Greenway properties).

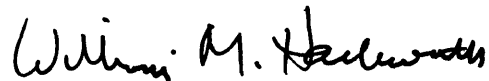
Attached for your consideration is an Ordinance authorizing the City Manager to sign a Release and Transfer of Terms, Conditions, Covenants and Restrictions transferring the terms, conditions, covenants and restrictions from the 3.217± acre tract lying within the boundary of Kennedy Park, to enable the School Board to use the property for educational purposes, namely Roanoke Academy of Mathematics and Science, transferring these same terms, conditions,

covenants and restrictions to a 1.039± acre tract of land located at Riverland Road Addition and Primrose Avenue.

Please let me know if you have any questions about this matter.

With kindest personal regards, I am

Sincerely yours,

A handwritten signature in black ink, appearing to read "William M. Hackworth". The signature is written in a cursive, slightly stylized font.

William M. Hackworth
City Attorney

WMH/EKD/lsc

Attachment

cc: Darlene L. Burcham, City Manager
Dr. E. Wayne Harris, Superintendent
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing the City Manager to execute a Release and Transfer of Terms, Conditions, Covenants and Restrictions transferring the terms, conditions, covenants and restrictions from the 3.217± acre tract lying within the boundary of Kennedy Park, to enable the Roanoke City School Board to use the property for educational purposes, namely Roanoke Academy of Mathematics and Science; and dispensing with the second reading by title of this ordinance.

WHEREAS, on May 28, 1965, the National Park Service, pursuant to the Federal Property and Administrative Services Act of 1949 conveyed, by deed, 7.83 acres of land to the City (Tax Parcel #2340121), the deed is recorded in the Circuit Court for the City of Roanoke in Deed Book 1179, at page 244. This conveyance included certain terms, conditions, covenants and restrictions that required the property to be used and maintained for public park or public recreational purposes; and

WHEREAS, on January 22, 2002, Council approved Resolution No.35728-012202 authorizing the Roanoke City School Board to use approximately 8.5 acres of land on the corner of 19th Street and Andrews Road for the new Roanoke Academy of Mathematics and Science. That measure contained a provision that the School Board receive the required approval from the United States Department of Interior for a land exchange. On November 21, 2002, such approval was obtained and approval has been obtained for the release and transfer of terms, conditions, covenants and restrictions from the above described property. As a result of this action, the City proposes to remove the terms, conditions, covenants and restrictions enumerated in the 1965 conveyance from a 3.217± acre tract, lying within the boundary of Kennedy Park, to enable the School Board to use the

property for educational purposes, and to transfer these same terms, conditions, covenants and restrictions to a 1.039± acre tract located at Riverland Road Addition (Roanoke River Greenway properties).

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are authorized to execute and attest, respectively, a Release and Transfer of Terms, Conditions, Covenants and Restrictions transferring the terms, conditions, covenants and restrictions from the 3.217± acre tract lying within the boundary of Kennedy Park, to enable the Roanoke City School Board to use the property for educational purposes, in a form approved by the City Attorney, all as set forth in the City Attorney's Letter to Council dated February 3, 2003.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with..

ATTEST:

City Clerk.



MARY F. PARKER, CMC
City Clerk

CITY OF ROANOKE OFFICE OF CITY CLERK

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145
E-mail: clerk@ci.roanoke.va.us

STEPHANIE M. MOON
Deputy City Clerk

SHEILA N. HARTMAN
Assistant City Clerk

February 3, 2002

File #467

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Pursuant to Chapter 9, Education, Code of the City of Roanoke (1979), as amended, establishing a procedure for the election of School Trustees, this is to advise you that the three-year terms of office of F. B. Webster Day, Marsha W. Ellison and Gloria P. Manns will expire on June 30, 2003. Ms. Ellison is ineligible to serve another term inasmuch as she has served three consecutive three year terms of office.

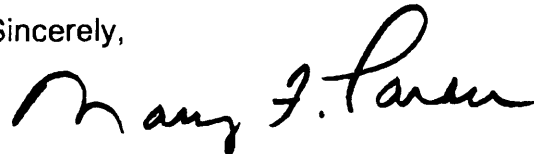
Pursuant to Section 9-16 of the Code of the City of Roanoke (1979), as amended, on or before February 15 of each year, Council shall announce its intention to elect Trustees of the Roanoke City School Board for terms commencing July 1 through (1) public announcement of such intention at two consecutive regular sessions of the Council and (2) advertisement of such intention in a newspaper of general circulation in the City twice a week for two consecutive weeks.

The Honorable Mayor and Members
of the Roanoke City Council
February 3, 2003
Page 2

Section 9-17 of the City Code provides that applications must be filed in the City Clerk's Office by March 10 of each year. Application forms will be available in the City Clerk's Office and may be obtained between the hours of 8:00 a.m., and 5:00 p.m., Monday through Friday. Information describing the duties and responsibilities of School Trustees will also be available.

With kindest regards, I am

Sincerely,

A handwritten signature in black ink, reading "Mary F. Parker". The signature is fluid and cursive, with the first name "Mary" and last name "Parker" clearly legible.

Mary F. Parker, CMC
City Clerk

MFP:sm



CITY OF ROANOKE

DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

February 3, 2003

The Honorable Ralph K. Smith, Mayor
 The Honorable C. Nelson Harris, Vice Mayor
 The Honorable William D. Bestpitch, Council Member
 The Honorable William H. Carder, Council Member
 The Honorable M. Rupert Cutler, Council Member
 The Honorable Alfred T. Dowe, Jr., Council Member
 The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: December Financial Report

This financial report covers the first six months of the 2002-2003 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General fund revenues are up 2.27% compared to the same period last year. The City was notified in October of approximately \$387,000 in State revenue reductions. Additional cuts totaling approximately \$94,000 were proposed in Governor Warner's recommended budget revisions presented on December 20, 2002. Cuts were made to the following revenue sources: reimbursement received from the State Compensation Board for shared expenses of the constitutional offices, law enforcement funding received under HB599, library funding, abc and wine tax, and mobile home sales and use tax. A funding reduction to the Roanoke Valley Detention Commission will have a direct impact to Roanoke, increasing the per diem cost to house juveniles at the Center. No budgetary adjustments have been made for these reductions. On a positive note, street maintenance funding is projected to increase \$322,000 in the current year. Variances in specific categories of revenues are as follows:

General Property Taxes increased 5.89% or \$1,508,000. Real estate taxes, which were due October 5, increased 5.04%, and achieved 51.11% of the estimate. Public service corporation taxes declined almost 14%, partially offsetting these increases. There have been more refunds in FY03 than in the prior year. Additionally, billing of this tax was later than in the prior year, causing a timing difference in collections. Penalties and interest also declined.

Other Local Taxes increased 3.56% or \$634,000. Electric utility consumer tax, which is based on usage, was up due to the warmer than normal summer weather. As of December 31st, sales tax revenues were up 1% compared to the prior year. However, inclusive of the mid-January collection, which represented retail sales activity for the month of November, sales tax is now down 1% on a year-to-date basis when compared to the prior year. Cellular phone tax revenue has increased due to efforts to ensure service providers correctly remit revenues to the proper jurisdictions. Effective July 1, 2002, admissions tax rates were increased from 5% to 6.5%, and collections for the current year increased more than anticipated. Transient room tax also increased from the prior year. These increases are partially

offset by a decline in telecommunications right of way use fees. The Virginia Department of Transportation calculates this fee annually. Effective July 1, 2002, the fee was reduced from \$.63 per access line to \$.60 per access line. Telephone utility consumer tax also decreased. Many consumers are using cellular telephones and prepaid phones, which negatively impacts both telecommunications right of way use fees and telephone utility consumer tax.

Permits, Fees and Licenses declined 15.18% or \$76,000. Permit valuations for commercial projects during the first six months of the current fiscal year were lower than the same period in the prior year, having a negative impact on building, plumbing and heating inspection fees. In addition, the number of building permits issued for commercial and residential projects has declined. Elevator inspection has been privatized with the majority of fees paid directly to a third party, causing a decline in elevator inspection revenues. There was also an expenditure decline related to this privatization effort.

Fines and Forfeitures increased 35.84% or \$166,000. Parking ticket revenue was up almost \$126,000 from the prior year. In late fall of the prior year, the ticketing function was civilianized. As a result, the number of parking tickets issued increased substantially. Also, the penalty for late payment of parking tickets was increased effective July 1, 2002, generating additional parking ticket revenue. General District Court fines were up due to an increased caseload, much of which was related to the increased number of parking tickets.

Revenue from Use of Money and Property increased 6.37% or \$30,000 due to a timing difference in the receipt of rent from the Commonwealth for space occupied by Social Services in the Municipal Building

Charges for Services rose 8.80% or \$181,000. Several new fees were authorized by the 2002 General Assembly and were effective July 1, 2002, including a courthouse security fee, inmate processing fee and DNA sampling fee. Circuit Court Clerk fees were up due to the recording of deeds for a number of high value property sales in the current year. A new fee structure for bulk garbage collection generated additional revenue. While overall revenue in this category is up from the prior year due to fee increases and the establishment of new fees, several of these fees are under performing their estimates.

Miscellaneous Revenue declined 57.30% or \$125,000. In the prior year, funding was transferred from the Parking Fund to partially support the subsidy provided to the Greater Roanoke Transit Company (GRTC). This subsidy is completely funded by the General Fund in the current year while the Parking Fund is covering the debt service on \$2.5 million Series 2002 bonds issued to construct the Gainsboro Parking Garage. In addition, a larger amount of surplus property sales proceeds were received in the prior year.

Internal Services decreased 7.48% or \$94,000. Airport billings are based on operating costs of the fire station located adjacent to the airport. Personal services costs of the airport fire station were down, causing a decline in airport billings. Due to operating reductions at the Occupational Health Clinic, billings to the Risk Management Fund declined in the current year. The Clinic is funded through the City's self-insurance program, which is accounted for in the Risk Management Fund. Internal billings for street and building maintenance were also down.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have increased 2% or \$2,062,000 compared to FY02. In previous months, expenditures have been down from the prior year due to a hiring slowdown and spending cuts. In FY03, three paydays fell in December. Thus, expenditures for the current year reflect charges for an additional pay period as compared to the prior year. Other variances in individual expenditure categories are discussed as follows:

Judicial Administration expenditures increased 9.58% or \$274,000. Expenditures of Juvenile and Domestic Relations Court Services increased. Payments to Roanoke Valley Detention Commission for housing juvenile offenders were higher than the prior year due to utilization of the new post-dispositional detention program. This program allows juveniles to be held for a longer period of time, increasing expenditures. Circuit Court expenditures increased due to renovation costs and furniture purchases.

Health and Welfare expenditures rose 13.06% or \$1,466,000. Timing differences in payment to the Health Department contributed to this increase. Expenditures under the Comprehensive Services Act (CSA) were up due to a substantial increase in the number of children in foster care.

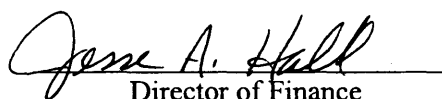
Parks, Recreation and Cultural expenditures declined 5.66% or \$143,000. Personal services costs of the Recreation department decreased. Several labor-intensive program cuts, the elimination of a project assistant position and shortened hours at pool facilities caused temporary wage costs to decline. In addition, pool supplies, a scoreboard and miscellaneous furnishings and appliances for the fitness centers were purchased in the prior year.

Community Development expenditures rose 10.96% or \$288,000 due to an increase in Housing and Neighborhood Services costs. In September of FY02, this department was reorganized, and additional positions were added to handle changes in the code enforcement area. Thus, the first months of FY02, prior to reorganization, reflected lower personal services costs. Department of Technology charges were also higher in the current year.

Transfer to Debt Service Fund increased 47.08% or \$4,014,000. The current fiscal year was the first year principal and interest payments were required for the Series 2002A General Obligation Bonds, and a larger principal payment was required on the Series 1997B Bonds, increasing the required transfer amount. The final principal and interest payments were made in the prior fiscal year for Series 1992 Refunding Bonds, partially offsetting these increases.

Nondepartmental expenditures decreased 50.46% or \$4,978,000. A timing difference in the transfers to Capital Projects Fund contributed to this variance. Essentially all transfers to the Capital Projects Fund were made at the beginning of FY02. In FY03, a portion of these transfers were made mid-year and the remaining are planned for the end of the year, consistent with other General Fund budgeted transfers. The amount to be transferred to the Capital Projects Fund in FY03 is lower than the prior year. In addition, a larger amount of CMERP funding was transferred to the Capital Projects and Department of Technology Funds in the prior year.

I would be pleased to answer questions City Council may have regarding the monthly financial statements.


Director of Finance

JAH/tht
Attachments

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
DECEMBER 31, 2002**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>General Fund:</u>					
CMT-1368	09/03/02	The Art Project Feasibility Study	Contingency*	Memberships and Affiliations	\$ 37,500
CMT-649	09/26/02	American Flag Inventory	Police Patrol	Transportation-Engineering and Operations	5,100
CMT-651	11/12/02	Terrorism Conference	Fire-Support	Environmental Services and Emergency Management	1,195
CMT-653	11/11/02	Terrorism Conference	Police Training	Environmental Services and Emergency Management	669
CMT-657	12/02/02	Reorganization of Neighborhood Partnership	Planning, Building and Development	Neighborhood Partnership	13,659
CMT-663	12/04/02	Parking Lot Paving at Mountain View Recreation Center	Police Patrol	Parks	11,900
CMT-659	12/06/02	Victory Stadium Parking Lot Grading	Parks and Recreation Administration	Transportation-Streets and Traffic	3,900
CMT-1403	12/18/02	Temporary Wages	Crisis Intervention	Youth Haven	3,800
				Total General Fund	<u>\$ 77,723</u>
<u>Capital Projects Fund:</u>					
CMT-646	09/20/02	Century Square Project	Special Park Project Grants	Sister City Century Square Upgrade	\$ 145
CMT-646	09/20/02	Century Square Project	Roanoke River Center Phase I	Sister City Century Square Upgrade	3,855
CMT-1385	10/31/02	Final Household Hazardous Waste Collection Day	Capital Improvement Reserve	Environmental Issues-PWSC	5,000
CMT-1385	10/31/02	Final Household Hazardous Waste Collection Day	Capital Improvement Reserve	Settlement State DEQ-PWSC	60,000
				Total Capital Projects Fund	<u>\$ 69,000</u>
<u>Available Contingency</u>					
Balance of Contingency at July 1, 2002					\$ 476,300
*Contingency Transfers From Above					(37,500)
Contingency Appropriations Through Budget Ordinances:					
BO 36022	08/19/02	Drug Prosecutor Local Match	Contingency	Transfer to Grant Fund	(9,381)
BO 36154	12/16/02	Virginia Exile Grant Unused Local Match	Transfer to Grant Fund	Contingency	13,643
Available Contingency at December 31, 2002					<u>\$ 443,062</u>

**CITY OF ROANOKE, VIRGINIA
GENERAL FUND**

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Dec 31 2001-2002	July 1 - Dec 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
General Property Taxes	\$ 25,588,273	\$ 27,096,353	5.89 %	\$ 78,340,707	34.59%
Other Local Taxes	17,819,313	18,453,299	3.56 %	59,301,164	31.12%
Permits, Fees and Licenses	498,979	423,228	-15.18 %	1,030,694	41.06%
Fines and Forfeitures	462,378	628,087	35.84 %	1,116,350	56.26%
Revenue from Use of Money and Property	476,238	506,582	6.37 %	1,082,729	46.79%
Grants-in-Aid Commonwealth	17,245,165	16,510,512	-4.26 %	45,687,395	36.14%
Grants-in-Aid Federal Government	17,179	17,179	0.00 %	34,300	50.08%
Charges for Services	2,058,366	2,239,468	8.80 %	4,353,761	51.44%
Miscellaneous Revenue	218,416	93,267	-57.30 %	315,045	29.60%
Internal Services	1,253,383	1,159,667	-7.48 %	2,302,219	50.37%
Total	\$ 65,637,690	\$ 67,127,642	2.27 %	\$ 193,564,364	34.68%

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Dec 31 2001-2002	July 1 - Dec 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
General Government	\$ 5,782,789	\$ 5,797,274	0.25 %	\$ 5,823,719	\$ 11,620,993	49.89%
Judicial Administration	2,865,448	3,139,825	9.58 %	3,153,581	6,293,406	49.89%
Public Safety	22,980,464	23,552,930	2.49 %	22,963,291	46,516,221	50.63%
Public Works	13,667,976	13,164,268	-3.69 %	11,819,217	24,983,485	52.69%
Health and Welfare	11,228,120	12,694,470	13.06 %	14,754,283	27,448,753	46.25%
Parks, Recreation and Cultural	2,535,772	2,392,289	-5.66 %	2,413,840	4,806,129	49.78%
Community Development	2,631,924	2,920,336	10.96 %	2,582,447	5,502,783	53.07%
Transfer to Debt Service Fund	8,525,807	12,540,057	47.08 %	4,306,985	16,847,042	74.43%
Transfer to School Fund	22,993,834	24,050,183	4.59 %	23,358,373	47,408,556	50.73%
Nondepartmental	9,864,272	4,886,690	-50.46 %	5,767,478	10,654,168	45.87%
Total	\$ 103,076,406	\$ 105,138,322	2.00 %	\$ 96,943,214	\$ 202,081,536	52.03%

Note:

Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
SCHOOL FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Dec 31 2001-2002	July 1 - Dec 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
State Sales Tax	\$ 2,912,553	\$ 2,802,648	-3.77 %	\$ 9,226,504	30.38 %
Grants-in-Aid Commonwealth	18,555,102	18,576,355	0.11 %	43,236,695	42.96 %
Grants-in-Aid Federal Government	37,077	33,379	-9.97 %	115,298	28.95 %
Charges for Services	334,509	289,322	-13.51 %	2,127,968	13.60 %
Transfer from General Fund	22,993,834	24,050,183	4.59 %	47,408,556	50.73 %
Special Purpose Grants	4,457,758	4,061,134	-8.90 %	6,827,643	NA
Total	\$ 49,290,833	\$ 49,813,021	1.06 %	\$ 108,942,664	45.72 %

SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Dec 31 2001-2002	July 1 - Dec 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Instruction	\$ 33,284,594	\$ 34,047,566	2.29 %	\$ 41,858,944	\$ 75,906,510	44.85 %
General Support	1,624,073	1,850,860	13.96 %	2,183,112	4,033,972	45.88 %
Transportation	1,625,700	1,734,656	6.70 %	2,283,562	4,018,218	43.17 %
Operation and Maintenance of Plant	4,460,117	5,243,400	17.56 %	5,698,013	10,941,413	47.92 %
Facilities	1,334,947	1,451,332	8.72 %	637,234	2,088,566	69.49 %
Other Uses of Funds	5,435,665	5,521,418	1.58 %	1,548,301	7,069,719	78.10 %
Special Purpose Grants	7,128,391	6,827,643	-4.22 %	-	6,827,643	NA
Total	\$ 54,893,487	\$ 56,676,875	3.25 %	\$ 54,209,166	\$ 110,886,041	51.11 %

Note:

Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
SCHOOL FOOD SERVICES FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Dec 31 2001-2002	July 1 - Dec 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
Grants-in-Aid Commonwealth	\$ 84,483	\$ 85,171	0.81 %	\$ 84,464	100.84 %
Grants-in-Aid Federal Government	809,107	1,200,456	48.37 %	2,747,730	43.69 %
Charges for Services	673,113	592,692	-11.95 %	1,689,923	35.07 %
Total	\$ 1,566,703	\$ 1,878,319	19.89 %	\$ 4,522,117	41.54 %

SCHOOL FOOD SERVICES FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Dec 31 2001-2002	July 1 - Dec 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Food Services	\$ 1,977,053	\$ 2,072,800	4.84 %	\$ 2,452,691	\$ 4,525,491	45.80 %
Facilities	-	24,092	100.00 %	25,315	49,407	48.76 %
Total	\$ 1,977,053	\$ 2,096,892	6.06 %	\$ 2,478,006	\$ 4,574,898	45.83 %

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF DECEMBER 31, 2002**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
General Government	\$ 9,824,640	\$ 8,225,394	\$ 1,599,246	\$ 306,655	\$ 1,292,591
Flood Reduction	18,622,109	7,537,270	11,084,839	181,514	10,903,325
Economic Development	24,759,375	15,338,239	9,421,136	92,723	9,328,413
Community Development	6,937,394	4,846,072	2,091,322	643,096	1,448,226
Public Safety	8,234,803	6,931,063	1,303,740	17,996	1,285,744
Recreation	25,570,198	4,616,426	20,953,772	1,674,132	19,279,640
Streets and Bridges	21,107,625	17,131,494	3,976,131	967,826	3,008,305
Storm Drains	3,198,831	2,157,108	1,041,723	320,030	721,693
Traffic Engineering	4,545,767	4,215,536	330,231	206,523	123,708
Capital Improvement Reserve	6,840,116	-	6,840,116	-	6,840,116
Total	\$ 129,640,858	\$ 70,998,602	\$ 58,642,256	\$ 4,410,495	\$ 54,231,761

**CITY OF ROANOKE, VIRGINIA
SCHOOL CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF DECEMBER 31, 2002**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
Elementary Schools Renovation	\$ 10,596,091	\$ 5,680,220	\$ 4,915,871	\$ 303,739	\$ 4,612,132
Middle Schools Renovation	1,005,104	935,508	69,596	29,048	40,548
High Schools Renovation	275,763	277,526	(1,763)	153	(1,916)
Transportation Facility Renovation	1,000,000	35,276	964,724	52,474	912,250
Interest Expense	262,929	236,841	26,088	-	26,088
Capital Improvement Reserve	1,051,271	-	1,051,271	-	1,051,271
Total	\$ 14,191,158	\$ 7,165,371	\$ 7,025,787	\$ 385,414	\$ 6,640,373

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
COMPARATIVE STATEMENT OF REVENUES
FOR THE SIX MONTHS ENDING DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Interest Revenue:		
Interest on Bond Proceeds	\$ 547,813	\$ 295,180
Interest on SunTrust Lease	451	9,910
Interest on Idle Working Capital	162,353	288,474
Total Interest Revenue	<u>710,617</u>	<u>593,564</u>
Multi Year Revenues:		
Intergovernmental Revenue:		
Federal Government:		
FEMA - Regional Mitigation Project	-	19,223
Commonwealth:		
Passenger Station Improvement - ISTE	279,790	-
VDES - Garden City Mitigation Project	-	10,143
Mill Mountain Greenway - ISTE	89,128	-
Virginia Transportation Museum - ISTE	357,791	16,176
Railside Linear Walk - ISTE	298,277	-
Total Intergovernmental Revenue	<u>1,024,986</u>	<u>45,542</u>
Revenue from Third Parties:		
Advance Stores Governor's Opportunity Fund Agreement	170,000	-
First Union Job Grant Repayment	-	44,400
Trigon Insurance - Land Sale	-	100
Times-World Corporation - Land Sale	-	3,100
Total Revenue from Third Parties	<u>170,000</u>	<u>47,600</u>
Other Revenue:		
Transfers from General Fund	1,662,843	5,147,517
Transfers from Water Fund	-	375,000
Total Other Revenue	<u>1,662,843</u>	<u>5,522,517</u>
Total	<u><u>\$ 3,568,446</u></u>	<u><u>\$ 6,209,223</u></u>

**CITY OF ROANOKE, VIRGINIA
WATER FUND
COMPARATIVE INCOME STATEMENT
FOR THE SIX MONTHS ENDING DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Commercial Sales	\$ 2,127,390	\$ 2,103,988
Domestic Sales	1,602,170	1,488,085
Industrial Sales	288,653	364,178
Town of Vinton	11,504	14,849
City of Salem	17,781	12,685
County of Botetourt	110,808	101,905
County of Bedford	3,581	6,950
Customer Services	181,321	321,081
Charges for Services	<u>1,294,450</u>	<u>1,392,391</u>
Total Operating Revenues	<u>5,637,658</u>	<u>5,806,112</u>
Operating Expenses		
Personal Services	2,236,214	2,060,613
Operating Expenses	2,550,832	2,402,604
Purchased Water - Roanoke County	875,212	-
Purchased Water - City of Salem	395,897	-
Depreciation	<u>838,836</u>	<u>842,167</u>
Total Operating Expenses	<u>6,896,991</u>	<u>5,305,384</u>
Operating Income (Loss)	<u>(1,259,333)</u>	<u>500,728</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	53,273	106,650
Rent	57,929	40,956
Miscellaneous Revenue	35,654	42,468
Transfer to Department of Technology	(41,146)	-
Interest and Fiscal Charges	<u>(479,961)</u>	<u>(516,875)</u>
Net Nonoperating Expenses	<u>(374,251)</u>	<u>(326,801)</u>
Net Income (Loss)	<u><u>\$ (1,633,584)</u></u>	<u><u>\$ 173,927</u></u>

Note: Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
WATER POLLUTION CONTROL FUND
COMPARATIVE INCOME STATEMENT
FOR THE SIX MONTHS ENDING DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Sewage Charges - City	\$ 2,869,738	\$ 3,147,414
Sewage Charges - Roanoke County	485,346	312,860
Sewage Charges - Vinton	93,607	91,727
Sewage Charges - Salem	349,502	327,496
Sewage Charges - Botetourt County	77,735	59,380
Customer Services	137,796	121,740
Interfund Services	<u>85,478</u>	<u>88,728</u>
Total Operating Revenues	<u>4,099,202</u>	<u>4,149,345</u>
Operating Expenses		
Personal Services	1,096,077	1,049,484
Operating Expenses	2,365,613	3,294,376
Depreciation	<u>944,642</u>	<u>858,625</u>
Total Operating Expenses	<u>4,406,332</u>	<u>5,202,485</u>
Operating Loss	<u>(307,130)</u>	<u>(1,053,140)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	78,979	104,342
Miscellaneous Revenue	321	91
Capital Contributions - Other Jurisdictions	14,203	-
Transfer to Department of Technology	(27,248)	-
Interest and Fiscal Charges	<u>(371,945)</u>	<u>(379,788)</u>
Net Nonoperating Expenses	<u>(305,690)</u>	<u>(275,355)</u>
Net Loss	<u><u>\$ (612,820)</u></u>	<u><u>\$ (1,328,495)</u></u>

Note: Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
CIVIC CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE SIX MONTHS ENDING DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Rentals	\$ 142,002	\$ 172,857
Event Expenses	73,058	74,329
Display Advertising	6,000	75,200
Admissions Tax	104,933	47,511
Electrical Fees	5,870	12,920
Novelty Fees	44,739	7,129
Facility Surcharge	44,235	51,331
Charge Card Fees	3,964	20,791
Commissions	44,387	5,620
Catering/Concessions	373,750	370,360
Other	6,415	4,343
	<u>849,353</u>	<u>842,391</u>
Total Operating Revenues		
	<u>849,353</u>	<u>842,391</u>
Operating Expenses		
Personal Services	942,883	881,636
Operating Expenses	875,457	843,706
Depreciation	319,060	249,653
	<u>2,137,400</u>	<u>1,974,995</u>
Total Operating Expenses		
	<u>2,137,400</u>	<u>1,974,995</u>
Operating Loss	<u>(1,288,047)</u>	<u>(1,132,604)</u>
Nonoperating Revenues		
Interest on Investments	16,446	11,699
Transfer from General Fund	726,843	726,843
Transfer from Capital Projects Fund	-	385,000
Transfer to Debt Service Fund	(50,546)	-
Transfer to Department of Technology Fund	(47,754)	-
Miscellaneous	936	460
	<u>645,925</u>	<u>1,124,002</u>
Total Nonoperating Revenues		
	<u>645,925</u>	<u>1,124,002</u>
Net Loss	<u><u>\$ (642,122)</u></u>	<u><u>\$ (8,602)</u></u>

**CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE SIX MONTHS ENDING DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Century Station Parking Garage	\$ 183,426	\$ 187,455
Williamson Road Parking Garage	187,372	196,933
Market Square Parking Garage	117,628	112,056
Church Avenue Parking Garage	224,425	227,707
Tower Parking Garage	191,629	185,694
Gainsboro Parking Garage	17,118	-
Williamson Road Surface Lots	37,311	35,819
Norfolk Avenue Surface Lot	28,907	19,145
Gainsboro Surface Lot	18,172	13,586
Other Surface Lots	16,243	-
Total Operating Revenues	<u>1,022,231</u>	<u>978,395</u>
Operating Expenses		
Operating Expenses	480,163	325,090
Depreciation	278,815	273,211
Total Operating Expenses	<u>758,978</u>	<u>598,301</u>
Operating Income	<u>263,253</u>	<u>380,094</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	5,796	6,913
Transfer From General Fund	115,000	32,000
Transfer to General Fund	-	(104,918)
Interest and Fiscal Charges	(293,905)	(248,561)
Miscellaneous	-	1,068
Net Nonoperating Expenses	<u>(173,109)</u>	<u>(313,498)</u>
Net Income	<u><u>\$ 90,144</u></u>	<u><u>\$ 66,596</u></u>

**CITY OF ROANOKE, VIRGINIA
HOTEL ROANOKE CONFERENCE CENTER COMMISSION
COMPARATIVE INCOME STATEMENT
FOR THE SIX MONTHS ENDED DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Expenses		
Salaries and Fringe Benefits	\$ 25,308	\$ 22,902
Fees for Professional Services	32,976	31,588
Administrative Expenses	<u>1,868</u>	<u>35,807</u>
Total Operating Expenses	<u>60,152</u>	<u>90,297</u>
Nonoperating Revenues (Expenses)		
Contributions from City of Roanoke	62,500	87,500
Contributions from Virginia Tech	62,500	87,500
Construction Repairs	-	(36,224)
Interest on Investments	<u>36,963</u>	<u>64,995</u>
Net Nonoperating Revenues	<u>161,963</u>	<u>203,771</u>
Net Income Before Depreciation	101,811	113,474
Depreciation Expense	<u>(255,618)</u>	<u>(227,296)</u>
Net Loss	<u>\$ (153,807)</u>	<u>\$ (113,822)</u>

Note: Financial information represents activity of the Commission as accounted for in the City's financial records.

**CITY OF ROANOKE, VIRGINIA
INTERNAL SERVICE FUNDS
COMPARATIVE INCOME STATEMENT
FOR THE SIX MONTHS ENDING DECEMBER 31, 2002**

	Department of Technology	Fleet Management	Risk Management	TOTALS	
				FY 2003	FY 2002
Operating Revenues					
Charges for Services	\$ 2,063,398	\$ 2,615,689	\$ 5,101,810	\$ 9,780,897	\$ 8,954,076
Total Operating Revenues	2,063,398	2,615,689	5,101,810	9,780,897	8,954,076
Operating Expenses					
Personal Services	1,143,366	655,777	78,448	1,877,591	1,782,375
Operating Expenses	624,204	920,599	5,935,033	7,479,836	6,649,896
Depreciation	363,609	1,037,469	-	1,401,078	1,244,755
Total Operating Expenses	2,131,179	2,613,845	6,013,481	10,758,505	9,677,026
Operating Income (Loss)	(67,781)	1,844	(911,671)	(977,608)	(722,950)
Nonoperating Revenues (Expenses)					
Interest Revenue	47,075	10,505	103,446	161,026	275,777
Interest Expense	(4,394)	(38,828)	-	(43,222)	(33,663)
Transfers From Other Funds	745,377	817,338	-	1,562,715	3,025,886
Loss on Disposal of Fixed Assets	-	(1,504)	-	(1,504)	(44,035)
Other Revenue	-	-	-	-	10,184
Net Nonoperating Revenues	788,058	787,511	103,446	1,679,015	3,234,149
Net Income (Loss)	\$ 720,277	\$ 789,355	\$ (808,225)	\$ 701,407	\$ 2,511,199

Note: Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED DECEMBER 31, 2002

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR
 THE FUNDS OF SAID CITY FOR THE MONTH ENDED DECEMBER 31, 2002.

FUND	BALANCE AT NOV 30, 2002	RECEIPTS	DISBURSEMENTS	BALANCE AT DEC 31, 2002	BALANCE AT DEC 31, 2001
GENERAL	(\$5,398,759.07)	\$11,263,142.93	\$14,153,894.79	(\$8,289,510.93)	(\$7,824,757.36)
WATER	5,520,097.86	374,276.27	515,391.80	5,378,982.33	7,118,756.19
WATER POLLUTION CONTROL	8,893,258.56	1,900,126.88	1,123,466.23	9,669,919.21	7,560,538.12
CIVIC FACILITIES	2,314,230.64	356,604.57	629,218.46	2,041,616.75	1,053,752.61
PARKING	274,872.97	154,502.98	152,536.99	276,838.96	483,272.17
CAPITAL PROJECTS	58,454,951.63	440,536.62	912,817.25	57,982,671.00	28,168,854.44
CONFERENCE CENTER	4,503,284.54	2,606.44	687,936.71	3,817,954.27	4,053,670.17
RKE VALLEY DETENTION COMM	0.00	0.00	0.00	0.00	2,091,185.54
DEBT SERVICE	14,411,202.05	19,025.82	523,601.85	13,906,626.02	12,901,945.73
DEPT OF TECHNOLOGY	5,627,795.30	182,894.21	260,911.97	5,549,777.54	5,672,973.98
MATERIALS CONTROL	0.00	0.00	0.00	0.00	315,625.19
FLEET MANAGEMENT	1,536,292.27	104,594.76	471,821.38	1,169,065.65	942,884.67
PAYROLL	(13,937,487.34)	14,879,369.75	17,011,519.07	(16,069,636.66)	(14,809,772.95)
RISK MANAGEMENT	11,792,208.50	654,105.95	699,045.98	11,747,268.47	12,112,575.90
PENSION	897,789.41	1,387,130.66	1,378,547.17	906,372.90	887,166.22
SCHOOL FUND	8,520,144.23	6,645,601.39	6,607,701.99	8,558,043.63	10,428,050.43
SCHOOL CAPITAL PROJECTS	8,882,558.79	3,829.00	120,929.95	8,765,457.84	2,504,785.16
SCHOOL FOOD SERVICE	119,781.57	486,458.15	611,034.81	(4,795.09)	(415,370.65)
FDETC	139,821.62	67,078.44	121,323.33	85,576.73	73,127.10
GRANT	1,394,376.06	339,328.51	262,077.57	1,471,627.00	750,886.17
TOTAL	\$113,946,419.59	\$39,261,213.33	\$46,243,777.30	\$106,963,855.62	\$74,070,148.83

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED DECEMBER 31, 2002.
 THAT SAID FOREGOING:

CASH:

CASH IN HAND \$14,177.65
 CASH IN BANK 2,387,471.18

INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:

COMMERCIAL HIGH PERFORMANCE MONEY MARKET 8,463,381.50
 LOCAL GOVERNMENT INVESTMENT POOL 21,181,871.79
 MONEY MANAGEMENT ACCOUNT 10,315,700.92
 REPURCHASE AGREEMENTS 5,000,000.00
 U. S. AGENCIES 15,304,125.00
 VIRGINIA AIM PROGRAM (U. S. SECURITIES) 44,297,127.58
TOTAL **\$106,963,855.62**

DATE: JANUARY 14, 2003


 DAVID C. ANDERSON, TREASURER

**CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE SIX MONTHS ENDED DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
<u>Additions:</u>		
Employer Contributions	\$ 2,019,773	\$ 1,914,072
Investment Income		
Net Appreciation (Depreciation) in Fair Value of Investments	(18,295,981)	(4,693,916)
Interest and Dividend Income	1,132,729	1,791,198
Total Investment Income (Loss)	(17,163,252)	(2,902,718)
Less Investment Expense	116,798	(174) (1)
Net Investment Income (Loss)	(17,280,050)	(2,902,544)
Total Additions (Deductions)	<u>\$ (15,260,277)</u>	<u>\$ (988,472)</u>
 <u>Deductions</u>		
Benefits Paid to Participants	\$ 8,204,758	\$ 7,311,817
Administrative Expenses	282,507	264,432
Total Deductions	<u>8,487,265</u>	<u>7,576,249</u>
Net Increase (Decrease)	(23,747,542)	(8,564,721)
 Net Assets Held in Trust for Pension Benefits:		
Fund Balance, July 1	289,534,315	326,337,980
Fund Balance, December 31	<u><u>\$265,786,773</u></u>	<u><u>\$317,773,259</u></u>

(1) Negative amount reflects the reversal of accrual accounting entries made for fiscal year-end financial reporting purposes where current year actual expenses had not yet offset.

**CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
DECEMBER 31, 2002**

	<u>FY 2003</u>	<u>FY 2002</u>
<u>Assets</u>		
Cash	\$ 878,346	\$ 886,971
Investments, at Fair Value	266,541,399	318,360,025
Due from Other Funds	1,590	-
Other Assets	<u>5,785</u>	<u>5,434</u>
Total Assets	<u>\$ 267,427,120</u>	<u>\$ 319,252,430</u>
 <u>Liabilities and Fund Balance</u>		
Liabilities:		
Due to Other Funds	\$ 1,632,400	\$ 1,469,322
Accounts Payable	<u>7,947</u>	<u>9,849</u>
Total Liabilities	<u>1,640,347</u>	<u>1,479,171</u>
 Fund Balance:		
Fund Balance, July 1	289,534,315	326,337,980
Net Gain (Loss) - Year to Date	<u>(23,747,542)</u>	<u>(8,564,721)</u>
Total Fund Balance	<u>265,786,773</u>	<u>317,773,259</u>
 Total Liabilities and Fund Balance	<u>\$ 267,427,120</u>	<u>\$ 319,252,430</u>

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing and directing the proper City officials to enter into a lease extension between the City, the School Board of the City of Roanoke and the Young Men's Christian Association of Roanoke, Virginia, for use of the Jefferson High School gymnasium, upon certain terms and conditions.

BE IT ORDAINED by the Council of the City of Roanoke that the City Manager and the City Clerk are authorized to execute and attest, respectively, a lease extension in form approved by the City Attorney, providing for use and occupancy of the Jefferson High School gymnasium by the Young Men's Christian Association of Roanoke, Virginia. The School Board for the City of Roanoke shall also be a party to such lease. The lease shall provide for a six month extension. Such lease extension shall commence on January 19, 2003 and end on July 18, 2003.

Attest:

City Clerk.



CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

February 3, 2003

The Honorable Ralph K. Smith, Mayor
The Honorable C. Nelson Harris, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable William H. Carder, Council Member
The Honorable M. Rupert Cutler, Council Member
The Honorable Alfred T. Dowe, Jr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Appropriation of Funds

The City is self insured for certain types of claims and insurance deductibles. Funds are included in the Risk Management budget to pay small claims and settlements. Additional funds totaling \$100,000 are needed to pay claims for the remainder of the year. Funds are available in the Risk Management fund retained earnings.

Recommendation:

City Council adopt the attached budget ordinance appropriating \$100,000 from the Risk Management fund retained earnings for settlement of claims.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jesse A. Hall".

Jesse A. Hall

Director of Finance

JAH/pac

attachment

c: Darlene L. Burcham, City Manager
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Barry L. Key, Director of Management and Budget
Kenneth S. Cronin, Director of Human Resources

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Risk Management Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Risk Management Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Risk Management Administration (1)	\$	1,202,710
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Retained Earnings

Retained Earnings (2)	\$	4,771,201
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1) Settlements	(019-340-1262-2179)	\$ 100,000
2) Reserve for Self-Insured Claims	(019-3327)	(100,000)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.